14 1960

# SURVEY STRESSES ENGLISH TEACHING

## Subject Is Given Priority by Group Making Study of Connecticut Schools

Special to The New York Times.

HARTFORD, Sept. 17 — A group that has been studying the Connecticut school system for three years has recommended that English be given top priority.

Following English in the order of importance, in the view of the group, are mathematics, the sciences, history and other social studies and foreign languages.

The list of subjects was given in the report on a study that began in 1957. The study was supported by the Ford Foundation's Fund for the Advancement of Education. Robert V. Harry of New Canaan was chairman of the executive committee of the study.

**Points of Emphasis**

"I nthe field of English," the report said, "reading, composition, speech, listening, grammar, spelling and handwriting, were often listed as needing special emphasis.

"In mathematics, pracically all groups wanted instruction for everybody in the elementary and junior high schools, with such branches and geometry, trigonometry, calculus, analytical geometry and advanced algebra offered in the senior high schools for students of higher ability.

"In sciences, most groups emphasized the value of developing scientific attitudes as well as scientific skills.

"In the social studies, a trong minority believed in the teaching of history, geography and civics as separate subjects. The majority supported instruction directed generally toward preparing the child to understand and assume his responsibilities to community, state, nation and the world.

"The teaching of modern foreign languages, beginning at least in the seventh grade and continuing for three or four years, was generally recommended."

**Art Study Favored**

The report said that about half the study groups had suggested priority status for instruction in art and music. A strong minority wanted the same status for industrial arts, home-making, and business education. More than half the groups gave priority rating to health and physical education.

"Driver training as a part of the regular high school curriculum was generally regarded with disfavor," the report said. A considerable minority wanted it entirely excluded from the school program.

# AF Base Pupils Segregated by Sex

NANA, Okinawa, Oct. 1 (AP)—Col. Joe E. Briley, the Kadena Air Base commander who recently banned shots and pedal pushers for women, has now segregated the school buses there. Girls must ride one bus and boys another.

The ruling applies only to Air Force students; students from the Army and Navy still ride coeducational buses.

According to Briley's daughter, Barbara, herself a student at the local high school. The ruling was made "because of a series of delinquencies and immoral acts that have taken place on these buses." She would not elaborate and neither did her father in making the ruling.

# School Bible Reading Due For Restudy

## High Court Orders 3d Circuit to Review Pennsylvania Law

By James E. Clayton

Staff Reporter

A challenge to Pennsylvania's law on Bible reading in the public schools was sent back to the lower courts by the Supreme Court yesterday for reconsideration.

In a brief order, the Supreme Court noted that the Pennsylvania legislature has re-drafted the law since a Federal 3-judg court declared it unconstitutional 13 months ago. It told the lower court judges to reconsider their opinion in light of the new legislation.

Under the old law, public school teachers were compelled to read "at least 10 verses from the Holy Bible" without comment at the beginning of each school day. The new law adds a section allowing any child to be excused from attending the Bible reading if his parents or guardians request it.

In an opinion by Chief Judge John Biggs Jr. of the Third Circuit Court of Appeals, the lower court held that the old legislation violated the First Amendment to the Constitution in that it "provides for the establishment of religion" and "interferes with free exercise of religion."

Under yesterday's order, the lower court can decide whether the case is moot because the law has been changed or whether it still must be decided. It was brought by the parents of three Roslyn, Pa., children. They said the Bible reading was contrary to their religious beliefs. They are Unitarians.

The case was one of 67 which the Supreme Court swept from its docket yesterday. The Justices agreed to hear four more cases this year on their merits and then anjourned for two weeks of study and opinion-writing.

Among cases it agreed to hear is the action of a three-judge Federal court in Louisiana which held unconstitutional two State laws requiring that membership lists of organizations such as the National Association for the Advancement of Colored People be filed with State officials.

*United States Supreme Court enters its last order in 41-year-old case fixing New Mexico-Colorado boundary.* *Page A3.*

# Pupils Exceed National Level In Montgomery

## 6 Test Areas Show Pupils Year Ahead With Higher IQ's

By DANA BULLEN

Star Staff Writer

The Montgomery County Board of Education today received test results that show students in county schools have higher IQ's and are learning more than children in many other parts of the country.

The tests, standardized for use in other parts of the country, were given during the last school year to pupils in the 3d, 5th, 6th and 8th grades and to other students in certain subjects.

School officials said 39,788 children were tested, or about half of the county pupils. Tests used included the California Mental Maturity and Achievement examinations.

Children in Montgomery County schools were measured against national norms and against groups of students with similar mental age, chronological age and grade placement.

**Year Ahead in Six Areas**

In many cases, Montgomery children were more than one year ahead of norms across the country in six test areas that generally cover the so-called three R's.

Most of the time, Montgomery children exceeded, sometimes by a number of months, students in similar situations in other areas.

In some subjects, however, Montgomery County fell below national averages. Major areas of difficulty were 3d and 5th grade arithmetic, 8th grade spelling and chemistry.

County students also fell behind slightly in 7th grade geography and 11th grade American history. In algebra, 8th grade students, taking this subject for the first time last year, excelled.

**Officials "Happy"**

School officials said they were "very happy" at the high marks given Montgomery County in most areas. They said the test results also provided a tool for further improvements.

In addition to indicating general areas where more emphasis may be required, the tests show teachers how to aid individual children, said Director of Research Maxwell E. Burdette.

"We feel we can improve the overall instructional program only by improving it for each child," he said. "We want to know, for example, which children cannot add fractions. Then we can do something about it."

Mr. Burdette said that while test results permit Montgomery County to compare its program with national averages, they do not permit comparisons with other Washington area jurisdictions because of sampling problems.

In some areas, school officials think things are not as bad as they might appear. For example, brighter pupils who are behind in arithmetic in the early grades catch up and pass national norms before they finish school, they said.

In more detail, the tests show the following comparisons between the largest groupings of Montgomery County students and pupils elsewhere with similar ages, IQs and grade placement.

Third grade—Reading vocabulary, 6 months ahead; reading comprehension, 4 months ahead; arithmetic reasoning, 6 months ahead; arithmetic fundamentals, 1 month ahead with brighter pupils 1 month behind; English mechanics, 4 months ahead; spelling, 2 months ahead.

Fifth grade—Reading vocabulary, 6 months ahead; reading comprehension, 2 months ahead; arithmetic reasoning, 4 months ahead; arithmetic fundamentals, 1 month behind with brighter students 2 months behind; English mechanics, 5 months ahead; spelling, 9 months ahead.

Sixth grade—Reading vocabulary, 8 months ahead; reading comprehension, 3 months ahead; arithmetic reasoning, 9 months ahead; arithmetic fundamentals, 8 months ahead; English mechanics, 6 months ahead; spelling, 7 months ahead.

Eighth grade—Reading vocabulary, 7 months ahead; reading comprehension, 4 months ahead; arithmetic reasoning, 7 months ahead; arithmetic fundamentals, 7 months ahead but slower students 1 month behind; English mechanics, 5 months ahead; spelling, 5 months behind with brighter students 1 month behind and slower students 13 months behind.

In all four grades, the IQ's of the Montgomery County students are about 10 points over national norms.

Other tests show pupils performing above average in English, Latin I, Plane Geometry, Physics and Algebra.

THE UGF AT WORK

# Retarded Children Learn How to Play

Among the many uses to which United Givers Fund dollars are put, teaching children to play may be the most surprising.

Yet this is possibly the most important lesson an extremely retarded child can learn.

This is the goal of a new class—the play group—at the school conducted by Help for Retarded Children in the District.

The District chapter is one of six Help for Retarded Children organizations in the area supported by the United Givers Fund. UGF currently is conducting a drive for $7.2 million. The Arlington chapter of Help for Retarded Children is sharing in the united drive for the first time this year.

The play group is being taught by Mrs. Virginia Williams, director of the school located in Mount Moriah Baptist Church at 1636 East Capitol street.

MRS. WILLIAMS

### Proved Techniques

Mrs. Williams is using techniques she applied successfully in New York State when teaching retarded children who also were blind.

The children in the class, designed especially for the extremely retarded, all have some speech difficulty. Some are physically handicapped. Others are emotionally disturbed.

Ranging in age from 8 to 15, they cannot be included in the present public school program.

Awareness of others that grows each year in normal children doesn't develop automatically in the severely retarded, Mrs. Williams explained.

Musical games, simple clapping games, games where hands are joined will be used to teach the youngsters to relate to each other, she reported.

### Parties in Program

Birthday parties are part of the plan, too. Many of the boys and girls never have been to a party, Mrs. Williams said.

Self-help skills, like washing and drying faces and hands, will be taught. So will drinking from a cup for those who haven't managed it so far.

The children also will be encouraged to experiment with water paints and clay.

With an enrollment of 40 youngsters, the entire school operates on a ratio of eight children per teacher. Mrs. Williams is the director and there are two "floating assistants".

UGF dollars cover only part of the operating cost, with a tuition of $30 a month paid by almost every parent. There are two scholarship students now, but six more could be accommodated if funds were available.

# EDUCATION

## THE ROAD AHEAD

## President-Elect Faces a Panorama Of Problems and Opportunities

BY FRED M. HECHINGER

President-elect John F. Kennedy last week listed education among the priority problems he will tackle. What is the panorama that confronts the Kennedy Administration?

Total public-school enrollment is nearing the 40 million mark. The classroom shortage, at the most recent estimate, was put at 132,400. Almost 100,000 teachers are performing their duties with emergency or substandard credentials, while the total teacher shortage is put at 135,000 by the National Education Association. This year, 330,000 elementary and 270,000 high school students attend school in double or triple sessions.

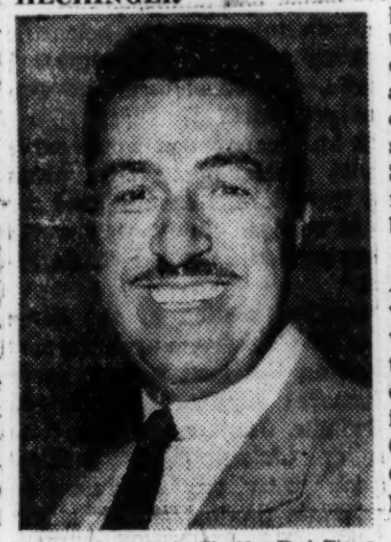
In higher education, this year's enrollment stands at above 3,500,000. The most cautious forecasts are that by the end of the Sixties that total will be 6,000,000. Faculty shortages are expected to become critical within this decade.

At present, mainly through the support of science and engineering research, the Federal Government is estimated to be contributing over one billion dollars annually to the operating budgets of the universities. The capital building outlay needed for higher education in the ten years ahead is estimated at between 15 and 30 billion dollars.

### Forty-eight Million

Perhaps the most startlingly descriptive fact to keep in mind is that, including all public and non-public educational institutions, about forty-eight million Americans are now "in school." That is more than one-fourth of the nation.

This is the skeleton of facts. What are the key junctions at which the new Administration's policy will become involved in dealing with them?



The New York Times

Representative Powell of House Education Committee.

(1) *Federal Aid:* The issue was stalemated in the last session of Congress, when bills for general aid to the schools had been passed by both Houses, for the first time in history. Most prominent among the disagreements over the issue were the questions whether (A) aid ought to be both for teachers' salaries as well as for school construction; (B) aid should be given in direct grants to the states, to be matched by the states or not, or given mainly by way of long-term loans; (C) any strings, such as the demand for non-segregated operation of the schools, should be attached.

According to his party's platform and his own statements, Senator Kennedy must be expected to press for the "permissive" straight grants which would let the states determine how the money is to be spent.

He will face outright opposition to Federal aid, particularly among conservative Republicans and Southern Democrats. This means that the only hope for passage of any Federal aid bill will be through a strong coalition of liberal Republicans and as many Democrats as the Administration's Congressional leadership can marshall. As for the anti-segregation amendment, education spokesmen in Washington believe Rep. Adam Clayton Powell, as the new chairman of the House Labor and Education Committee, will not attach such a rider this time.

### New Building Provisions

Federal aid for higher education might give priority to college scholarships.

In addition, there is strong pressure by the colleges and universities to extend the Federal loan program now mainly applied to the construction of dormitories to include provisions for academic buildings. Strong demands for some outright building grants are also being made.

(2) *The National Defense Education Act:* The 1958 law will expire in 1962. Some action will therefore be required, since the act is almost universally accepted as essential. It authorizes spending a total of $1,000,000,000, of which more than a quarter has so far been appropriated.

But the Administration will face strong pressure from influential education quarters for a rewriting of the law. Powerful groups have urged that the current narrow pinpointing of aid for science, mathematics and language instruction be replaced by more general aid for the improvement of education. In fact, there have been suggestions that the "defense" label has little purpose in an education measure other than a lure to reluctant legislators.

Additional pressures for review concern the clause which now "forgives" 50 per cent of repayable student loans, if the graduate remains a public school teacher for at least five years. Some proposals urge that this indirect scholarship offer be extended to all teachers, including those on the college level.

### Oath Is Opposed

Finally, there remains the question of the "disclaimer affidavit" as a prerequisite for receiving student loans. At present, twenty colleges, including some of the nation's leading institutions, are refusing to participate in the loan program, while another forty have gone on record protesting the provision that requires students to state that they have never been members of subversive organizations.

(3) *National Policy:* This Administration will inevitably be called upon to decide whether it is ready to support the increasing demands for some form of permanent advisory body on educational matters. Many experts have called for this. There has been repeated mention of a possible counterpart to the President's Council of Economic Advisors.

This is a panoramic view. Other peaks of needs and controversy, of course, stand out, too. The international student exchange program, under which almost 50,000 foreign students are already in the country's colleges now, needs new attention. African, Asian and Latin-American graduate programs are among the education-plus-foreign aid "musts." In every corner of the education scene the surveys and proposals for action are stacked high. Files are bursting with priorities.

14 1960

ALLEN-SCOTT REPORT

Jackson Daily News
Jackson Miss
Mon 11-28-60

# Kennedy Plans More U.S. Aid For College Students

By ROBERT S. ALLEN and PAUL SCOTT

WASHINGTON—President-elect Kennedy proposes to ask Congress to expand the federal loan program for university students to $100 million—approximately double the $58.4 million appropriated for this fiscal year.

That's what he strongly indicated in his conference with Vice President-elect Johnson, who heartily approved.

During Kennedy's election campaign, he repeatedly advocated more government aid to increase the number of college students, particularly in science, engineering and medicine. He contended this is essential to meet the great increase of Soviet graduates in these fields.

To Johnson and other leaders the president-elect is now saying he considers this a "top priority commitment," and he is talking in terms of boosting the student loan program to $100 million.

Since being launched in 1958, it has been a resounding success.

This year more than 150,000 university students sought these government tuition loans of up to $1,000. They are available for any field of accredited study, with $5,000 the maximum over a five-year period. Repayment does not start until a year after graduation.

James Moore, head of the Office of Education loan program, estimates next year's applicants for this educational assistance will total around 200,000—up 50,000 over this year.

To meet this anticipated big increase he has asked the Budget Bureau for $73 million.

That is still being deliberated by the Bureau, which is formulating President Eisenhower's final budget that he will submit to the new Congress before leaving the White House on January 20. That budget is not binding on his successor, who can increase or cut it as he desires.

FEMALE TOUCH

The commissioner of education in the Kennedy administration may very likely be a woman.

Two are under consideration.

According to Kennedy insiders they are Miss Lucia Cormier, former schoolteacher and Democratic leader of the Maine Legislature, who unsuccessfully opposed Sen. Margaret Chase Smith; and Velma Linford, Wyoming state superintendent of public instruction, who was defeated for the Democratic senatorial nomination.

Myer Feldman, brainy and pleasant long-time legislative assistant of President-elect Kennedy, is credited by insiders as a strong possibility for budget director. Feldman has extensive budget and congressional experience, and is one of Kennedy's closest aides . . Gov. Abraham Ribicoff has definitely decided not to be attorney general in the new cabinet, which was offered him. He prefers a judicial appointment. eventually to the Supreme Court. This back stage Ribicoff decision opens the way for Democratic State Chairman John Bailey's being named postmaster general. One of the earliest and most active Kennedy supporters, Bailey is rated in his party as one of its ablest politicians. . .

Despite Sen. Henry Jackson's indicated intention to continue for a year or so as Democratic national chairman, the odds are strongly against that. Best bet is that he will step out in the spring and be replaced by Lawrence O'Brien. Boston attorney and chief dynamo in the national headquarters during the hectic presidential campaign. O'Brien has been a Kennedy campaign manager since he first entered politics after World War II, and contends the national organization needs "complete reorganization from top to bottom." That will be the job he will undertake as Chairman. His present title is executive director.

NO 'YES' MAN

Sen. Mike Mansfield is making one thing bluntly clear in the backstage talks about his succeeding Vice President-elect Lyndon Johnson as majority leader.

The Montanan will do that only if no strings are attached to his acceptance.

Specifically, Mansfield is insisting on two key requirements; That he have a completely free hand in picking the deputy leader and other floor assistants: and that he be chairman of the powerful Rules Committee that swings a lot of weight on what legislation the Senate considers.

Present leader is Sen. Theodore Green (D., R. I.), who is retiring this year. Johnson, as a member of the committee, dominated it. Mansfield wants to make sure he will have a key voice by being made chairman.

Sen. George Smathers (D. Fla.), is a leading contender for deputy leader. He is strongly backed by the southerners.

Northerners and westerners, particularly from the big industrial centers that were crucial in President-elect Kennedy's victory, are cool to Smathers. Instead they favor Sen. Clinton Anderson, N. M., Clair Engle, Calif. or Joseph Clark, Pa., in that order.

Sen. Vance Hartke, Ind., is slated for the next head of the Senate Democratic Campaign Committee in place of Smathers, who is up for a third term in 1962.

The Republicans plan no changes in their Senate organization.

Sen. Everett Dirksen, Ill., will again be Floor Leader; Sen. Thomas Kuchel, Calif., the Assistant Leader; and Sen. Styles Bridges, N. H., head of the Policy Committee.

IN 125 SCHOOLS NOW

Jackson Daily News
Jackson Miss

# State Elementary Schools Teach Foreign Languages

By BERRY REECE
United Press International

A tape recording at one of the 125 Mississippi elementary schools teaching foreign languages said over the intercom "ouvrez la porte," meaning "open the door" in French.

By coincidence, came a little knock on the classroom door. In strode a 10-year-old lad who had been to the rest room and took his seat, with third-grade dignity. One of his peers said "entrez" with a giggle.

After the tape recording uttered a phrase, the children chanted it back in unison. There were no tortuous grammar books. Most faces were eager. Some brows were wrinkled in concentration. One little man looked out the window.

Sun 12-11-60

The modern foreign language program has mushroomed in Mississippi. Two years ago only five of the over 600 elementary schools taught a language. Last year there were about 75. This year, probably 125.

The biggest boost to the program was the National Defense Education Act of 1958, under which the federal government matches state or local funds for equipment and instructional materials.

Dr. S. A. Brasfield, director of the division of instruction for the State Education Department, said, "our problem is to find a way to spend the money alloted to us."

A little over a million dollars was alloted under the act to Mississippi for the fields of science, mathematics and foreign languages in the fiscal period of 1958-59. Only $800,000 was actually used, and the rest lapsed.

Mississippi now has about $1.5 million in NDEA funds alloted for the fiscal period of 1959-60, but what remains of this will revert to the government if not used before June 30, 1962.

Of the 1958-59 allotment, about $42,000 was spent during the last school year on the modern foreign language program. This was matched by local schools for a total expenditure of $84,000.

Either the state or local school districts can put up matching funds under the act, said Brasfield, who is administrator for the NDEA program in Mississippi.

He said very little "outright resistence" to the program has been found in the state. But further expansion has been retarded by several factors.

"Local schools either don't have the money or don't see the need — in spite of Sputnik," said Brasfield. "Not everybody jumps on a new bandwagon. Also, there are not enough trained teachers, or at least trained in the right way."

The new method of instruction is completely backwards from the old way with the grammar book. The kids are taught to speak first, read several grades later and finally to write, using correct grammar.

"Elementary kids have a better facility for learning to speak a foreign language than adults." said Brasfield. "But this is true only if they begin before 12 years or so, when their speech habits become frozen."

Most of Mississippi's foreign language programs begin in the third grade. There must be a continuous, long-term building of new words, said Brasfield. "The kids take to it like ducks to water."

He said it does not take a bright child to learn a foreign language. "After all, even morons can be taught at home to speak English." Two thirds of the schools taught Spanish last year, about 12 taught French and two taught Latin.

The language most frequently taught in Mississippi is Spanish.

14 1960

# COLLEGES ADVISED TO TRIM COURSES

The New York Times

2 times

## Educator Warns on Clogged Curriculums, Sees Too Much Ground Covered

New York

## EXPERIMENTING URGED

Hunter 3-12-60

## Chicago Meeting Asks End of Loyalty Oath Under Student Loan Plan

P. 33

By LEONARD BUDER

Special to The New York Times.

CHICAGO, March 9—Colleges and universities were urged today to discard some courses and programs that clog the curriculum.

At the close of the annual meeting sponsored by the Association of Higher Education, Dr. Shannon McCune, provost of the University of Massachusetts, warned that many institutions were trying to cover too much ground. They are including subjects that should be taught in high school or on-the-job training programs, he said.

The conference passed a resolution urging elimination of the Federal loyalty oath and "disclaimer affidavit" by students seeking loans under the National Defense Education Act.

**Calls for Independence**

There was considerable discussion whether the resolution should include action against the oath. Last year, after much debate, the conference limited its objections to the affidavit, which requires loan applicants to disclaim membership in subversive organizations.

Speaking at a session devoted to "Planning the New College of the Sixties," Dr. McCune called for major departures and experimentation in education, "not just quack medicine for our ills."

He urged more emphasis on independent study, and said colleges must not duplicate each other's offerings. Neighboring colleges, he said, should complement each other rather than compete.

He proposed the abolishment of "general survey courses" in college, which "try to do too much too superficially," and so-called skill courses.

Skill courses, which include the fundamentals of mathematics, laboratory techniques in science, foreign languages and the writing and speaking of English, should be taught in high school, he declared.

**Would Extend Aid**

In urging amendments to the Education Act, the conference recommended that the "forgiveness" provisions of the loan program, which now apply only to students who become public school teachers, be extended to include those who go on to teach at institutions of higher learning—public, private or parochial.

The group condemned political interference in the operation of schools and colleges, and urged "regional and national accrediting agencies to investigate and take appropriate action when such interference occurs."

It was understood that this resolution had been motivated by concern over the Alabama Governor's recent action in forcing the expulsion from Alabama State College of several Negroes who had taken part in anti-segregation demonstrations.

The four-day meeting at the Pick-Congress Hotel was attended by about 1,300 faculty members, administrators and others active in education. The association is a department of the National Educational Association.

# South's Negro Colleges Backed by Educators

The Washington Post

Washington D. C.

By Dorrie Davenport

Staff Reporter

A wave of criticism rolled in yesterday against a Negro educator's suggestion that Southern Negro colleges which can not provide honors programs for their best students should close up shop or become junior colleges.

Sun. 3-29-60

"No honors program is so important that its absence warrants putting a college out of business," George N. Redd, dean of Fisk University in Nashville, Tenn., said. His view summed up official opinion at half a dozen major Negro colleges and universities.

The officials, interviewed by The Washington Post by telephone, sharply disagreed with Benjamin L. Hunton, a supervising director of District public junior and senior high schools, who criticized the quality of Southern Negro colleges in a talk Sunday at Howard University.

Most of the schools are unable to conduct honors programs, Hunton said, because of inadequately prepared student bodies and generally weak faculties.

Hunton said a conference of 30 Southern Negro college representatives last month in Baton Rouge, La., disclosed that only four schools — Howard Whiting said, "It would be disastrous to think in terms of closing up Negro colleges at this time, when many white schools still haven't opened up."

The officials agreed that many Southern Negro colleges which to date have failed to turn their attention to honors programs "are beginning now to feel the pressure to produce more and more bright students."

Teacher salaries are rising and are generally on a par with those offered by white Southern colleges, they said. At the same time, enrollments are booming.

Howard University's Frank M. Snowden Jr., dean of the college of liberal arts, called honors work "of paramount importance" but said conferences like the one at Baton Rouge show Negro colleges can, and should, work out their own solutions.

and Fisk Universities and Morehouse and Morgan State Colleges — have honors programs for superior students.

His statement brought quick response.

"I would bet a nickel that every accredited (Negro) college makes some special provision for its gifted students," said William H. Robinson, chairman of the teacher education division at Hampton Institute in Virginia. Hampton has an advanced placement program, he said.

At Tuskegee Institute in Alabama, Dean of Students Robert Reid said, "Schools everywhere are waking up to the idea they must do something for gifted students."

Tuskegee has an early admissions program for bright 11th graders.

Several officials held that the honors program, as such, is a relatively new idea not only in Negro colleges but in the South as a whole, and in many other parts of the Nation.

B. R. Brazeal, dean of Morehouse College in Atlanta, found Hunton's views "not typical and not equitable." He and spokesmen from other colleges held out high hopes for the future.

At Baltimore's Morgan State College, Dean Albert

# ATLANTA U DEAN URGES LEARNING

The Times

Poor preparation and background are not deterrents to learning, a speaker told an aduience of principals and school administrators here.

New Orleans, La.

He was Dr. Horace Mann Bond, dean of education, graduate school, Atlanta (Ga.) university. He made the statement at the opening general session of a work conference sponsored jointly by the Louisiana Education Association, Inc., the Orleans Principals' Association and the division of instruction, New Orleans public schools.

Sun. 5-1-60

The conference theme was "Improving Motivation and Achievement in Today's Schools." Assemblies and group discussion sections were held at Mount Zion Methodist church, 2700 Louisiana

J. K. Haynes, Baton Rouge, executive secretary, Louisiana Education Association, was the luncheon speaker at Portia's restaurant.

According to Bond, many men have distinguished themselves despite school records that have indicated otherwise.

"Poor preparation and background are not to be considered deterrents to learning," he said. "Efforts should be directed to helping the lower class pupils, rather than the middle class, who had the benefits of parents and other agencies to assist them."

He said contrary to current practices and present financing policies, the better physical plants and better staffs should "be in areas where the lowest achievement situations have been located."

# Group to Survey Schools' Work For Gifted Pupils

P. 30

Sun. 5-8-60

Philadelphia

HARRISBURG, May 7 (AP).—A group of 20 guidance counselors will survey 100 Pennsylvania school districts next week to see what they are doing for gifted children, the Governor's Committee on Education said Saturday.

Dr. Kathryn Dice, chief of staff for the committee's task force on guidance and counseling, said the survey's purpose is to get answers to these three questions: "Who are gifted and talented children? Where are they found? What are the schools doing for them?"

Philadelphia

Each specialist will spend a full day in one school system.

The 100 districts were chosen from a survey of 1600 districts.

**NOTICE TO BE GIVEN**

Officials of the chosen districts will be notified 24 hours in advance of the specialists' visits, Dr. Rice said.

"We want to give them enough time to prepare for the questioning, but we don't want them to start changing their programs because of the survey," she explained.

The specialists will work with a 22-page questionnaire in studying the schools. The questionnaire covers such items as pupil work loads, grouping by ability, acceleration and enrollment programs, testing devices and financing. They also will look into the school's guidance systems and their teachers' preparation.

**MEET FOR BRIEFING**

The specialists will meet here Sunday for a briefing.

They will be paid only expenses during the week, Dr. Rich said.

Dr. Albert Oliver, associate professor of education at the University of Pennsylvania and president of the National Association for Education of the Gifted, will supervise the project.

This will be the committee's first major survey since it was appointed in March to look into all aspects of public education—from kindergarten through college—in Pennsylvania.

The committee opened its series of public hearings by its task forces this week, Monday are:

SPECIALISTS LISTED

Jacob Azain, Upper Merion schools; Mrs. Edith B. Laughlin, State College; William Gore, Springfield township; Report; Dr. Carl J. Manone, Abington schools; Henry J. Derr, H. Lee, Moon township; Coraopolis; Glenn S. Lunger, Williamsport; Dr. Carl J. Manone, Abington schools; John C. Burriss, Ne

Butler, Milton; Penn-Trafford joint; Dorothy Hynes, Chester; James Wion; Kenneth A. Markley, Cen-

The guidance specialists cho

# Segregation By Aptitudes Spreads Rapidly In Schools

By LOUIS CASSELS
United Press International

Segregation of students — by ~~academic aptitude~~ rather than race — is a rapidly spreading practice in U. S. schools.

It is called "ability grouping." There are many variations, but the basic idea is that children should be separated, for instructional purposes, into fast, average and slow-learning groups.

This is not a new idea. Educators have been debating its merits for more than 30 years, and there is still considerable controversy as to whether it is, on balance, a good or a bad thing.

During the 1930's and 1940's, most American schools felt it was best for all members of a class to work together. The early 1950's saw the beginning of a noticeable trend toward ability grouping. It was given powerful impetus in the past few years by the post-sputnik clamor for providing an adequate educational challenge to highly-talented youngsters.

Today ability grouping is practiced, in some form, by a very large proportion of the big urban public school systems and by a growing number of smaller elementary and high schools.

Sometimes the grouping is done very informally. An elementary school teacher, for example, may have one set of work groups for reading instruction, another for arithmetic and still another for spelling. This flexible arrangement recognizes the possibility that a particular child may be strong in one subject and weak in another. It also makes it easy for him to shift from one group to another as his ability improves.

More elabcrate arrangements are found in some schools. The children are divided into entirely separate classes, or even into separate "curriculum tracks."

Proponents say that ability grouping is the best answer to the problem of teaching children of widely-varying mental capacity without having the bright ones held back to the pace of the slow-learners, or throwing the slow-learners up against a hopeless challenge.

# FEDERAL COUNCIL ON SCHOOLS ASKED

## American Assembly Ends Its 4-Day Parley With Call for Advisers to President

By FRED M. HECHINGER
Special to The New York Times.

HARRIMAN, N. Y., May 8—The American Assembly called today for the establishment of a Federal Council of Advisers on Education in the President's office and a joint Congressional committee on education.

In a report after a four-day meeting, the assembly denounced as unwarranted interference the controversial affidavit that requires students to disclaim any subversive ties when applying for college loans under the National Defense Education Act.

Out of strong disagreements emerged a demand for higher student tuition fees—especially in the low-cost institutions, presumably the state and municipal colleges and universities.

Somewhat reluctantly, too, the assembly urged the creation of a unified voice for higher education in Washington, without going the entire distance of calling it a lobby.

### Compromise on U. S. Aid

The assembly used strong terms to condemn and warn against Government interference in "institutional policy" but it sought compromise formulas on the controversial issue of Federal aid to higher education. It recommended new direct Federal aid only for school construction.

The recommendation for a Council of Advisers in Washington was in response to repeated warnings that higher education was inadequately represented there. The assembly urged a council so that "the President, the Congress and the public should have up-to-date, frequent, regular and authoritative official information."

It pointed to the Council of Economic Advisers as a pattern and called for an annual report to the President and to a joint committee of Congress on education. No such Congressional committee exists at present.

Conservative and liberal opinion appeared to meet most readily on the common ground of objections to what was considered undue interference with educational independence through provisions of the National Defense Education Act.

### Loan Changes Supported

While calling for extension of the act, the report urged these things:

¶An amendment to the student loan program so that future teachers, both in private schools and in colleges and universities, might have the same benefits of cancellation of up to half of their loans that are now granted only to public primary and secondary school teachers.

¶Repeal of the affidavit disclaiming subversive ties. This was termed "an example of unwarranted Government interference in institutional policy" and "should be expunged from the student loan program and from all other Federal programs which involve higher educations."

¶Elimination of the "direct allocation of graduate fellowships to specific institutions," a practice the report called "unwarranted Federal trespass upon state functions."

In opposing the student anti-subversive affidavit, the report specified:

'We distinguish between the positive oath of loyalty and the negative disclaimer affidavit. We condemn the latter as a direct inquiry into belief and hence contrary to the principles upon which this nation was founded."

### Increased Tuition Asked

Equally controversial was the assembly's conclusion that "tuitions and othe fees should be increased in those institutions in which present fees are nominal or disproportionately low." Although this demand was balanced with a request for simultaneous increases in financial aid to students, the proposal might run into strong opposition from some state univesities and such tuition-free institutions as New York City's municipal colleges.

The report called for "one organization to coordinate the efforts of spokesmen for higher education at the national level on issues about which all institutions agreed." While such agreements may be rare, the recommendation was clearly a veiled response to repeated demands that higher education protect its interests through a lobbying organization in Washington.

The report suggested that the American Council on Education, a voluntary organization of many diverse institutions and groups, "could serve this purpose."

In its first sesison on education since its establishment as an independent, nonpartisan forum in 1950, the assembly, meeting at Arden House, had asked a group of education, business and political leaders to debate the relationship of Federal Government and higher education in a four-day session, which ended today.

### Wary on Federal Help

The overwhelming conclusion, most delegates felt, was that Feedral participation in higher education, for better or for worse, would remain part of the national pattern. But fears that Federal money might interfere with private fund-raising led the assembly to urge that "Federal support should be only supplemental."

"The best available projections of total need leave serious doubts whether the required financial resources can be obtained from state and local governments and from private sources, including corporations," the report said. It urged "that these sources be expanded to the maximum" and that "no Federal action should operate to discourage them."

It added: "Nevertheless, in the last analysis the need must be met." Thus the assembly registered its reluctant prediction that such aid, which is now estimated at close to $1,000,000,000 annually, would increase in the ftuure.

It approved of continuing loans for "college housing and other self-liquidating facilities" and urged an increase of present aid by the National Science Foundation and the National Institute of Health to facilities and research.

tral Dauphin; Paul P. Porter, William Penn, Harrisburg; Sarah Reid, Butler; William Rothstein, Phoenixville; Katherine I. Sale, Mechanicsburg; Charles R. Sanders, Cumberland Valley, Mechanicsburg; Clair K. Sparks, Gateway Senior High, Monroeville; Henry G. Witman, Montrose; S. Roberta Wolfe, Carlisle; Kenneth Reeher, Department of Public Instruction, Harrisburg.

# CANADA PREPARED FOR MORE PUPILS

## Nationwide Survey Shows No Teacher or Classroom Shortage for 1960

Most school boards in Canada reported adequate classroom facilities for the 1960 fall term and said they had a satisfactory supply of teachers, despite the increase in students according to a Canadian Press survey.

In some cases portable classrooms will be used to relieve overcrowding in secondary schools. But in most areas where swing shifts have been necessary, there will be a return to normal school periods.

Many new schools will be opened, particularly in Newfoundland and Ontario. In Winnipeg, Man. a school building program is under way to cope with the rising school population, but many of the new classrooms will not be ready until later in the fall.

Ontario will have an additional 4,000 teachers to handle the increased enrollment in secondary schools. The increase in new teachers is attributed to the reorganization of courses and the establishment of new training schools.

Twelve new schools will be available in Newfoundland, where schools are operated by Roman Catholic, Anglican and United Church denominations, as well as the Salvation Army, with grants from the Provincial Government.

Nova Scotia's enrollment increase in the last two years has exceeded 6,000 and school officials say they expect a similar increase this year.

Prince Edward Island officials do not expect classroom congestion or a teacher shortage.

In New Brunswick, Dr. F. E. MacDiarmid, deputy minister of education, said there may be temporary overcrowding in a few primary and intermediate classrooms. However, there will be an increase in the number of teachers.

There will be more new schools in Quebec where 1,000,000 children, all but 100,000 of them in Roman Catholic schools, enrolled in 1959. Overcrowding is expected in some Catholic elementary schools in Montreal and classes will be held in parish halls. But two new high schools will open in the northeast of the city.

Montreal's English-speaking Catholic schools are recruiting teachers from many parts of Canada, the United States and Britain. There is no shortage in the French-speaking schools.

Curriculum changes in Montreal's Protestant high schools include a complete revision of the entire English course, more reading of modern literature and a new basic science course in six high schools which emphasises methods in science and laboratory work.

Ontario, its school population making big jumps every year, is expected to have an enrollment of 1,399,225—about 80,000 more than last year—in both elementary and high schools.

School officials say three new elementary schools—two public and one separate—are ready for the new term in Ottawa. The public school board is extending its oral French program in English-speaking schools to cover from second grade to eighth grade.

In metropolitan Toronto ninety new teachers will be available for separate schools, and 432 new teachers for Toronto's public schools.

The separate school board in Regina, Sask., reports no classroom shortage. The board has about twenty-two unused classrooms that are being opened as enrollment figures increase. This year twelve will be used. Two new schools will be opened for public school children.

14 1960

# More District School Counselors Are Urged at Hearing on Budget

By ARNALDO OTERO
Star Staff Writer

The District Board of Education last night heard urgent requests for more counselors at all school levels and for the reduction of the present pupil-teacher ratio.

The requests were two of many suggestions presented by dozens of witnesses appearing before the board at Burdick Vocational School to discuss the school budget for fiscal 1962.

Spokesmen for parent-teacher groups, civic associations and other organizations spent nearly four hours outlining the future needs of the public schools here.

The school officials heard repeated requests for:

1. The hiring of trained counselors for high school, junior high and elementary schools.
2. Renewed efforts to lower the present pupil-teacher ratio to 30 pupils to a teacher.

### Reading Specialists

3. The hiring of professional and clerical help to free principals and teachers from duties not related to their jobs.
4. Increased library services.
5. The assignment of a social worker and a reading specialist to most schools.

Typical of the urgent requests for more counselors and other administrative personnel was the plea by Cedric O. Reynolds, who spoke for the Coolidge High School Home and School Association.

He charged that the lack of personnel is making it "increasingly difficult for the graduates of our school to obtain admission to college."

Mr. Reynolds said that in filling out 1,500 applications annually to colleges throughout the country, "careess, erroneous or incomplete preparation of these papers could result in a student's rejection."

### Plea for Counselors

Speaking for the District League of Women Voters, Mrs. Benjamin Schiffer told the board the need for counselors, especially in the elementary schools, is "more urgent than when originally requested by the school officials."

"The counselor system is well estabished in many large city school systems," she said. "It is unthinkable that in a city with our numerous problems, we do not have this service."

Col. West A. Hamilton, a board member, labeled as "utopian" a suggestion by a spokesman for the Washington chapter of Americans for Democratic Action that 250 counselors be assigned to elementary schools and that the number of counselors in junior high schools be tripled.

In his statement for the ADA, Charles Mason also said that out of 160 buildings occupied by schools last year, 98 were "overpopulated to some degree" and housed "almost 70 per cent of all our pupils."

He said the end of this condition is not in sight and that by October, 1965, junior high schools will be short more than 6,000 seats.

### Overcrowding at Highs

A spokesman for the Committee on Senior High School Problems, William C. Wise, charged that his group found overcrowding in most high school classrooms housing students of academic subjects.

He predicted "the situation is going to become increasingly worse," and that high school enrollment will jump from 12,554 expected next year to 16,956 in 1965.

"We believe that the devil in this act is the pupil-teacher ratio," he said, charging that the system of arriving at that figure often is deceptive.

He and several other speakers deplored the shifting of teachers from one school level to another, saying the changes "actually worsen the situation."

Mr. Wise suggested school officials adopt a policy of putting a 30-pupil ceiling on all classes.

School Supt. Carl F. Hansen called the suggestion "more desirable" than the pupil-teacher ratio system but said "to achieve that within a reasonable time would be difficult to imagine."

### 25 Limit Cited

Leslie Moore of the Committee on High Schools said a large majority of classes in basic subjects have more than 30 pupils, some up to 40 and more.

"As you know, the National Education Association recommends that no high school class in a major subject be more than 25," he said.

Dr. Joseph L. Johnson of the Federation of Civic Associations called on school officials to seek appropriations for higher salaries for teachers, additional professional staff (including clinical psychologists and psychiatrists), an enlarged summer school program and the establishment of a junior college.

Dr. Ellis Haworth, speaking for the District Education Association, told the board, "Until your budget requests exceed 30 per cent of the total city budget, our public schools are not getting their fair share of District funds."

Also testifying were Allen D. Manvel, Wilson High Home and School Association; Willard C. McBride, Randle Highlands Parent-Teacher Association; Mrs. Barbara A. Bourne, Francis School Parent-Teacher Association, and Mrs. Arnold C. Sternberg, Lafayette Home and School Association.

Also Miss Dagmar Wilson, Action Committee for District School Libraries; Mrs. Susan Lamensdorf, Murch Home and School Association; Mrs. S. L. Tesone, Sharpe Health School PTA; Mr. Barrington D. Parker, McKinley High School PTA; Mr. Burma Whitted, Roosevelt High School; Mrs. Julia Evans, Dunbar High, and speakers from other elementary, junior and senior high schools.

MRS. JULIA EVANS

ALLEN D. MANVEL

MRS. BARRINGTON D. PARKER

WILLIAM C. WISE

CEDRIC O. REYNOLDS

MRS. BURMA WHITTED

## SCHOOL INFLUX NOTED IN STUDY

### Kindergarten, College Enrollment Greatest

WASHINGTON (AP) — The greatest increases in school enrollment in the past decade were at the kindergarten and college age levels.

The Census Bureau reported this, saying that once and more 5-year-olds are being entered in kindergartens, more youths are graduating from high school, and more are going to college.

In October of last year, 55½ per cent of the civilian population aged 5 to 34 years was enrolled in school or college, the bureau said. The total of 44,370,000 persons compared with 42,900,000 a year earlier, or 54.8 per cent, and 30,276,000 ten years earlier, or 44.2 per cent.

The study disclosed that private schools below the college level have been attracting a relatively larger share of increasing enrollments than public schools.

The percentage of kindergarten and elementary school pupils in private schools rose from 12.7 per cent to 16.1 per cent between 1954 and 1959. The number in private high schools rose from 8.8 to 10.9 per cent in the same period.

One out of ten students at age 17 last October was in college.

About 62.3 per cent of all 5-year-olds were in kindergarten last year as against 54.8 per cent in 1950. The percentage of youths and young adults in school was higher in the Western states than elsewhere. The bureau said 58 per cent were attending school last year in the west, compared with a national average of 55½ per cent.

Each Child In His Own League

# New Trend: Segregation By Aptitude, Not By Race

BY LOUIS CASSELS
United Press International

Segregation of students by academic aptitude rather than race - is a rapidly spreading practice in U. S. schools.

It is called "ability grouping." There are many variations, but the basic idea is that children should be separated, for instructional purposes, into fast, average and slow-learning groups.

THIS IS not a new idea. Educators have been debating its merits for more than 30 years, and there is still considerable controversy as to whether it is, on balance, a good or a bad thing.

During the 1930's and 1940's, most American schools felt it was best for all members of a class to work together. The early 1950's saw the beginning of a noticeable trend toward ability grouping. It was given powerful impetus in the past few years by the post-sputnik clamor for providing an adequate educational challenge to highly-talented youngsters.

TODAY ability grouping is practiced, in some form, by a very large proportion of the big urban public school systems and by a growing number of smaller elementary and high schools.

Sometimes the grouping is done very informally. An elementary school teacher, for example, may have one set of work groups for reading instruction, another for arithmetic and still another for spelling. This flexible arrangement recognizes the possibility that a particular child may be strong in one subject and weak in another. It also makes it easy for him to shift from one group to another as his ability improves.

MORE elaborate arrangements are found in some schools. The children are divided into entirely separate classes, or even into separate "curriculum tracks."

Proponents say that ability grouping is the best answer to the problem of teaching children of widely-varying mental capacity without having the bright ones held back to the pace of the slow-learners, or throwing the slow-learners up against a hopeless challenge.

OTHER arguments for ability grouping include the following:

When the range of differences in a class is narrowed, the teacher can direct instruction more effectively to the specific needs of the students.

Superior students can work up to their full capacity without fearing that they will be socially ostracized by their less - talented classmates for showing off their ability.

Each child fights, so to speak, in his own weight.

schools whose graduates had pursued their education to the Ph.D. level. The No. 9 and No. 10 spots were won by a Philadelphia and a Boston school.

Naturally, New York, with more pupils than any other city, can be expected to do well. But not that well. And even conceding that possession of a Ph.D. isn't an automatic guarantee of genius, there's no doubt that a student who obtains one knows the value and significance of education. We can be proud that so many youngsters first feel the allure and attraction of learning in the public schools of New York City.

All of this doesn't mean that New York can afford to be complacent about its school system. Quite the opposite is true. You don't have to be a Ph.D. to know that because a bright boy can come from an overcrowded school doesn't mean that overcrowding is good. On the contrary, we might easily increase our proportion of Ph.D.s and, equally important, give a better education to our non-Ph.D.s by building more schools and staffing them well.

What the Ph.D. survey proves is that, population shifts notwithstanding, the five boroughs of New York City today are rich in youthful human material. It's up to us to see that it's not wasted.

## The Ph.D.s Among Us

Without wishing to be continually blowing the horn for the New York City school system we can't help taking pride in the statistics demonstrating that our high schools lead the nation in the number of graduates who go on to the Ph.D. degree.

A survey completed by the Office of Scientific Personnel of the National Academy of Science shows that New York public high schools won the first eight places in a national listing of

## INDIAN-WHITE SCHOOL PLANNED IN CANADA

PRINCE GEORGE, B. C. (RNS) — An unusual educational project designed to teach Indians and white students to live together in a family setting was announced here by Roman Catholic Bishop Fergus O'Grady of Prince Rupert.

The Bishop's plans call for the erection of a $595,000 combined senior high school and junior college accommodating 400 students. But a more unusual aspect of the project is a proposed community of individual bungalows in which the students will be housed.

In each bungalow will live four Indian students, four white students and a faculty supervisor.

Bishop O'Grady said he concluded that this was the "soundest system" for reducing wastage in Indian education after "many years working among Indians and viewing angles of the integration problem."

"Millions have been spent on Indian education in Canada and much of it wasted," Bishop O'Grady said. "Between education and the Indian's problem in taking his place in society there has been no bridge."

The Bishop explained that under his program, the Indian would be trained for and encouraged to go on to the university, as well as be given a chance to build a home and find employment.

The Canadian Government and the Roman Catholic Church will join in financing the project, planned for a 1,500-acre site four miles west of here.

## PRIVATE SCHOOLS BESIEGED IN CITY

### Most Unable or Unwilling to Expand to Meet Growing Number of Applicants

By GENE CURRIVAN

Private schools here are confronted with increasing demands for admission but often cannot expand or are unable to meet the high cost of enlarging.

Many, especially those in Manhattan, are occupying expensive real estate with no more room available. Others, however, appear satisfied with the status quo.

The reasons for the increase in applicants range from dissatisfaction with public schools to the belief of some parents that a private-school background is an open sesame to college.

These findings result from a survey here of more than fifty private schools, other than church-related ones.

Their tuitions range from about $400 a year to $3,000, and their student bodies from neighborhood youngsters to children of upper class families who never considered public school in the first place.

### Entrance Tests Used

The net result of the enrollment pressure is that the schools have become more selective than ever before and are rejecting greater numbers. Many are using entrance examinations instead of the customary screening to find acceptable students.

Carl W. Andrews Jr., headmaster of the Collegiate School, 241 West Seventy - seventh Street, reflected the feeling of many of his colleagues when he said, "We have turned down many whom we would have been happy to have in past years."

Like many of the private schools, Collegiate has a small enrollment and will keep it that way. It took 353 students last year and 378 this year. Its plans for expansion are long-range ones.

The Rhodes School, 11 West Ninety-fourth Street, which has a normal capacity of 550 students and which has been holding that line, rejected more than 50 per cent of its applicants this year. Only eleven out of twenty-two high school students passed a recent entrance examination. Some of the students had flunked out of public schools and others had been requested to leave parochial schools.

Miss Hewitt's Classes, 45 East Seventy-fifth Street, which keeps its enrollment at 230, had more inquires this year than ever. Mrs. Lowell R. Comfort, the headmistress, thought it was due to an exploding population, commuting discouragement and increasing number of business personnel being transferred to New York.

The Chapin School, at 100 East End Avenue holds to a limit of 440 students although applications have been increasing for the last five years.

The Spence School, at 22 East Ninety-first Street, increased its enrollment from 325 to 340 this year and found that among its new applicants were some who had come into the city from expensive boarding schools. There was no way of telling whether the reason was economic or a flight from suburban isolation.

At the Riverdale Country School, 253d Street and Fieldstone Road, where a new building program made possible a higher enrollment (up from 383 to 417), only one out of every five applicants was accepted.

The Baldwin School, at 18 West Seventy-fourth Street, which has one of the highest tuition rates in the city ($1,700 to $3,000 a year), managed to acquire an adjoining building. It plans to enroll about 150 students in January, compared to 130 now and 110 a year ago.

As building expansion is not feasible in most cases, however, the general formula seems to be to make the best of present quarters, keep the class size down, maintain high standards and adopt a rigid code of selectivity.

This does not make it easy for those students who cannot make the grade academically even though their parents can afford a private school.

As one headmaster put it: "I am tired of those parents who send their backward youngsters here because they think private schools are a sure road to college."

While many of the headmasters and directors agreed that this was one of the reasons for the current pressures, the more specific causes were listed as these:

¶An influx from the suburbs, other states and Europe.

¶Working mothers whose contribution to the family income makes attendance at a private school possible.

¶crowded or otherwise unsatisfactory public schools.

¶Expensive out-of-town boarding schools.

¶A realization that youngsters need more individual attention.

¶A belief by some parents that private schools are no longer a luxury but must be included in the budget.

¶Residence in areas with a serious ethnic imbalance.

### Other Boroughs' Situation

The situation in Brooklyn appeared to be static. The Brooklyn Ethical Culture School at 49 Prospect Park West, reported no increase in applications over last year. Colby Academy, at 55 Hanson Place, turned down only those who could not meet the standards.

Contrasting situations were reported in Queens. The Foxwood School, 41-05 Bowne Street, Flushing, had openings for qualified pupils, but Kew-Forest School, 119-17 Union Turnpike, Forest Hills, was turning them down in great numbers.

In Flushing it appeared that many families were moving farther out on Long Island. In Forest Hills the mushrooming growth of apartment buildings has created a crisis in the public and parochial schools.

# They Won't Stay In!

The Pittsburgh Courier

BIGGER problem than getting our children into INTEGRATED schools, is getting more of them to stay longer in ANY school; and yet the whole FUTURE of the group depends GREATLY upon this.

Only 65 per cent of colored children between 14 and 17 years of age stay in high school, while 80 per cent of white children of the same age stay in.

This means, of course, that there are over 15 per cent more white than colored children PREPARED to function effectively in the technical and administrative world of the next decade.

During this period the nation's labor force will increase from 73 million to 86 million; and while the Negro labor force is increasing proportionately MORE than the white labor force, it is NOT getting, or CAPABLE of getting, its proportionate SHARE of skilled and clerical work.

Between now and 1970 there will be a 50 per cent INCREASE in professional and technical jobs, an 80 per cent INCREASE in managerial positions, a 25 per cent GREATER demand for clerical and service workers, and a 23 per cent GROWTH in skilled craftsmen.

Meantime, Negroes will be lagging 15 per cent BEHIND in those qualified to hold such jobs because that many youngsters would NOT stay in high school, while another large group will think high school is FAR ENOUGH!

Where there is a VACUUM created by the need for SKILLED technical and clerical workers, it WILL and must be filled by ANYBODY qualified, regardless of race, color or creed—with the emphasis on QUALIFIED.

The cry of racial prejudice and color discrimination, while not now entirely unjustified, will soon be VALUELESS as an alibi for FAILURE in a world of universal free education.

Common labor or relief looms for those who WON'T stay in school!

## On Aid For Schools

(An editorial reprinted from the Dec. 24th, 1955 issue of the Journal and Guide)

Journal and Guide

HERE are some authenticated facts which the opponents of federal aid need to ponder prayerfully:

Forty million students now attend U. S. schools and colleges. In 1965 that number will be fifty-one million.

College enrollment is now two and a half million. It is expected to double by 1970.

Pittsburgh, Pa.

In 1954, one-fifth of all college graduates entered teaching. If the present teacher-student ratio of about one to 30 were to be maintained, by 1965 one-half of all college graduates would have to enter that profession.

The present classroom deficit is estimated at 300,000 rooms. The teacher shortage is computed at 140,000.

About 700,000 students now get only part time schooling.

47 percent of the high schools offer no physics.

46 percent of the high schools offer no foreign languages.

24 percent give no geometry.

23 percent offer neither physics nor chemistry.

During the Korean war 48.4 percent of the men of draft age from Georgia were educationally unfit for the Army.

Ironically, the states most opposed to federal aid for schools are precisely those most incapable of providing a decent education.

The statistics offered are appalling evidence of the present crisis. Only the combined efforts of the whole people can even up the deficiencies in many of the states, so that we have a decently high standard of education everywhere.

SCHOOL ROUNDUP

# Va. parents plan 'training centers'

FARMVILLE, Va. — A series of training centers will open next month to accommodate the 1,700 colored children of Prince Edward County who are without schooling.

The Rev. L. Francis Griffin, NAACP county coordinator, said the centers will not be private schools.

"It's strictly a moral builder," he explained.

The training center proposal comes less than a month after colored parents rejected a white-sponsored private school proposal by 99 and 94/100ths per cent — that is, only one colored child signed up for the course.

Planning the training centers is the Prince Edward County Christian Association.

* * *

**SPEAKING IN CHARLESTON,** W.Va., Ralph McGill said of southern legislation to block integration:

"It's not only the children who are going to suffer. It's the whole future of the south."

Editor of the Atlanta Constitution, Mr. McGill added: "Isn't this a recurrence of what we had after the Civil War? Only the north was responsible for disrupting the south the last time, and now, the south is disrupting itself."

**IN MARIETTA,** Ga., school superintendent Henry Kempt says officials don't plan to do anything about desegregation.

They have been asked by the NAACP to "devise and make known plans for desegregation."

* * *

**IN NEW YORK,** education authorities are considering the rezoning of school districts to permit greater desegregation in city schools.

Superintendent John J. Theobald said the city was "not ready to move on this at the present time."

He said, however, he felt there was benefit to be derived by allowing high school students to attend schools of their choice.

The Atlanta (Ga.) board of education filed its altered school desegregation plan with Judge Frank A. Hooper in accordance with his directive.

The new plan was then sent to the state legislature. The changes had been requested by NAACP attorneys for colored children seeking to end school segregation.

* * *

**ALSO IN GEORGIA,** the state House of Representatives introduced a bill which would allow Atlanta to operate its schools — until the schools are actually desegregated.

The legislature previously passed a bill to close any integrated school. The new bill would allow Atlanta to levy taxes for school purposes until desegregation occurs.

The previous bill would halt the city from levying taxes immediately after desegregation was ordered.

# WHY PUPILS STUDY BAFFLES EXPERTS

## N.E.A. Pamphlet Asks Wider Research—Sex, Race and Class Factors Cited

By BESS FURMAN

Special to The New York Times.

WASHINGTON, March 2—Girls are better students in grade schools and high school, and boys are better students in college, according to a study made public today.

Paul H. Bowman, of the Quincy (Ill.) Youth Development Project and one of the authors of a pamphlet "Freeing Capacity to Learn" called for deeper studies into baffling differentials in scholastic achievement rather than crash programs to find potential scientists.

The pamphlet was issued today. It said sex, religion, cultural background and social strata were among the factors as spurring or limiting achievement in school.

Mr. Bowman said that in his own studies of high-school youth, girls had outnumbered boys 3 to 1 among the top 10 per cent in grade-point average.

In reporting this finding, Mr. Bowman said: "It is a common observation that girls are higher achievers in both elementary and secondary school."

In college, however, the men students were found to excel, Mr. Bowman said, and explained:

"There is a logical reason for boys, while they are living under the parental roof, performing more poorly in public school. It is also reasonable that boys would be higher achievers in college, where greater value is placed by teachers on the male students."

### 'Woman Role' Cited

Mr. Bowman said one study showed that "in the tenth grade the girls were quite willing to seek achievement in competition with men but by the twelfth grade, something in their growing concept of the 'woman' role prevented them from competing with men."

In another study, he said, it was "consistently found that Jews, white Protestants and Greeks scored higher in achievement motivation; and Negroes, French Canadians and Italians scored lower.

"A study of the origins of American scientists," he said, showed a higher high frequency from the Congregationalists, Presbyterians, Episcopalians and Unitarians, with a very low proportion from the Catholics."

Another writer, Dorothy Lee of Marrill-Palmer School of Detroit, said she believed it no accident so many outstanding men of letters were Jews, and that the large number of Jews in Academic and other professions "is out of all proportion" with the population.

She attributed this to the high value of Eastern European Jews set on intellectual achievement, a concept imported into this country.

The pamphlet was published by the National Education Association.

# COLLEGES LOSING FIGHT FOR QUALITY

## N.E.A. Survey Finds Rise in Salaries Imperative—Lists Median Wage at $6,711

Special to The New York Times.

CHICAGO, March 5—Many colleges and universities are "fighting a losing battle" in their efforts to provide quality education, a report issued here today declared.

The report, made by the research division of the National Education Association, warned that "quality of instruction will be further endangered unless greater resources become available."

"In the struggle to maintain ad improve quality," it asserted, "the first need is for competitive salaries to attract and hold competent teachers."

The association's comments and its findings in a national survey of college teachers' salaries were released on the eve of the opening here of the annual conference of the Association for Higher Education. The college group, which has 17,000 members, is a department of the N. E. A.

According to the survey, the median 1959-60 salary for college teachers of all ranks was $6,711. This represented an increase of 6.7 per cent over the previous year.

The median salary of men teachers, who make up 80 per cent of college faculties, was more than $1,000 higher than that of women — $6,906 to $5,865.

The median salaries last year ranged from $5,095 for instructors to $9,107 for full professors, the highest teaching rank. About 4 per cent of the teaching positions paid $12,000 a year or better, and slightly more than 10 per cent carried salaries of $10,00 or more. A fourth of all instructors received less than $4,600.

By contrast, it was noted that college football coaches had a median salary of $7,824. In some instances, coaches earned more than $20,000, which is more than the amounts paid to many college presidents. The median salary of presidents was reported at $13,827.

The relatively low faculty salaries were criticized last week by Dr. Jean Paul Mather, who will resign in June as president of the University of Massachusetts.

Dr. Mather, who announced his forthcoming resignation last summer after the Massachusetts Legislature refused to increase faculty and staff salaries at the university, said that the full-time truck driver earned $7,200 to $7,800 a year. This is, he said, more than the average associate professor earns.

Theh N. E. A. also asserted that "to this depressing [salary] picture must be added the fact that a steadily increasing number of newly employed eachers are entering service with obviously less than the minimum academic backgrounds for a successful career."

"This means," the report said, "more than ever, an obligation to carry on such programs of intermittent graduate study as personal resources will permit."

More than 1,500 persons are expected to attend the higher education conftrence, which will be held at the Pick-Congress Hotel here. The theme of the meeting, which will start tomorrow evening and continue trough Wednesday, is 'Platform for Higher Education: Guide Lines for the 60's."

# Student Level Drop Due To Integration Viewed

Over-all academic achievement levels drop temporarily when a school system is desegregated, but rise again steadily after proper reorganization of administration and emphasis on adequate instruction, a study released yesterday declared.

The report on tests conducted in segregated schools in Atlanta in 1956 and a study of D. C. educational progress was written by Frank H. Stallings of the University of Louisville for the Southern Regional Conference, a biracial group trying to improve white-Negro relations.

Stallings said the Atlanta tests show that while some Negro students are doing above average work and many more equal the work done by the majority of white students, the over-all academic achievement level in the Negro schools is lower than in the all-white system.

He said this difference, attributable to social and economic handicaps faced by Negro students, will pull the academic level of the desegregated system down from the record of the white school system.

This drop occurred when the District school system was desegregated in 1954, Stillings observed. But, he went on, 1958-59 tests showed 6th grade median scores here to be at or above national norms in five of six sections of the test batteries despite the fact that the percenage of Negroes in this grade rose from 63.9 to 75.6 between 1955-56 and 1958-59.

Stallings commented that the tests also show "that integration has not reduced the capacity of Washington schools to produce students of the highest quality."

14 1960

# EDUCATION

## PLATFORM PROMISES

The New York Times

## Aid for Teachers' Salaries Is Major Point at Issue Between Parties

New York

Jun 7-31-60

By GENE CURRIVAN

Enough promises were made at Los Angeles and Chicago during the recent national conventions to cure education's ills—if they are all fulfilled. They won't be, but whichever party wins in November there are indications that the next administration will put more emphasis on education.

There seems little doubt that all the existing Federal aids will continue — loans, scholarships, student exchanges, aid for libraries, television and research. The big question marks are school construction and teachers' salaries.

Both candidates are in favor of massive school construction and adequate teacher salaries, but they differ on how to attain them. It is this basic difference between the Democratic and Republican concepts that has blocked school construction bills every time they have appeared in Congress.

Without touching on the possibility of Federal control, two leading administrators expressed a widely held view last week that Federal money would be more acceptable if given for general purposes.

### Local Option

Dr. Frederick M. Raubinger, State Commissioner of Education of New Jersey, thought that states would be in a better position than the Federal Government to decide where the money was best needed. He opposed earmarking Federal funds.

Leon J. Obermayer, president of the Philadelphia Board of Education, reacted this way: "We'll take money for any purpose but my personal preference is that it be for construction. The question of salaries is a very local one and should be handled that way."

Another point of view was expressed by Edward F. Kennelly, Newark Superintendent of Schools, who felt that Federal funds should be earmarked so that their distribution would not be left hanging in mid air.

The Administration — and Nixon—approach is to allocate money to states for construction but not for salaries. The contention is that the state or local money saved because of Federal aid for buildings, could be used for teachers' salaries—without the danger of Federal control.

Florence S. Beaumont, head of city's elementary schools.

The Democratic — and Kennedy — approach is to make grants to the states for both construction aand salaries. The Kennedy forces believe the salary matter is so important and urgent that it should be bolstered immediately with a flow of funds. The Kennedy group puts little stock in the threat of Federal control.

Senator Kennedy's comment is: "The issue is not national control—it is national survival."

Vice President Nixon has said: "If the Federal Government gets into the business of subsidizing generally throughout the country the operations of our schools, including the payment of teachers' salaries, inevitably we will move into greater and greater programs in this area. Local control is the greatest guarantee against potential tyranny and certainly whoever controls education has tremendous power."

Mr. Nixon contended that Federal money for teachers would mean Federal standards —which would inevitably lead to Federal control.

### Control Issue

An indication of what some educators think of this issue came from Dr. James E. Allen Jr., New York State Commissioner of Education, and Miss Florence S. Beaumont, retiring head of New York City's elementary school division.

"The money would not have to be earmarked for salaries if there were firm belief in local control," Dr. Allen said, "but if it is earmarked there is encouragement for Federal control."

Miss Beaumont, who is completing fifty years in the school system, said, "the argument that Federal aid will lead to Federal control is nothing more than setting up a straw man and knocking it down. Cooperation among local, state and Federal governments is something to be desired and not to be feared."

Both the Democrats and Republicans profess to hope that the post-convention session of Congress will bring about a compromise although neither candidate appears to be giving ground at the moment.

Whatever comes out of the special session, both party platforms make specific commitments to be carried out in the event of victory.

These are the major Republican promises:

(1) Federal support for primary and secondary school construction.

(2) Strengthening of vocational education.

(3) Support for adequate library facilities.

(4) Support for basic research to help the handicapped, retarded and gifted.

(5) Assistance for college housing construction.

(6) Extension of student loan and graduate fellowship programs.

(7) Consideration of means to offset tuition costs through tax laws.

(8) Establishment of a top-level commission to advise the President on education.

### Democrats' Proposals

The Democrats have pledged:

(1) Federal support for primary and secondary school construction and teachers' salaries.

(2) Loans and scholarship grants "to all qualified young Americans."

(3) Federal grants for construction of academic facilities as well as dormitories at colleges and universities.

(4) Federal support of vocational education.

(5) Federal support for libraries and adult education.

(6) Federal support for "realizing the potential of television."

(7) Federal support for the international exchange of students and teachers.

(8) Establishment of a Youth Conservation Corps for underprivileged young people.

## University Ousts Pair For Cheating

Montgomery Ala Advertiser

TUSCALOOSA (AP)—The University of Alabama Wednesday permanently expelled two students and took lesser disciplinary action against 84 others for cheating on final examinations.

No names were given.

Aside from the two permanent expulsions, the action against the other 84 ranged from two-year suspensions to probation.

President Frank Rose, in announcing the action, said:

"While our action might be considered severe, it will serve notice that the University of Alabama will not condone cheating in any form."

The action followed an eight-week investigation by a six-man committee headed by Dr. C. T. Sharpton, vice president for student affairs.

The committee's report cited instances of illegal entry into the offices of professors and the buying and selling of examination by students.

The reports of mass cheating first came to light last June in the closing days of the spring semester.

Rose said in a statement that he considered it "one of the most disheartening experiences." It should be noted that only about one per cent of the 7,800 enrollment was involved, he said.

## 48,650,000 PUPILS TOTAL, OUTLOOK

Times Picayune New Orleans La Mon 8-15-60

1,636,000 Elementary and Secondary Teachers

By W. JOYNES MacFARLAN

WASHINGTON (AP)—A record 1960-61 enrollment of 48,650,000 in the public and private schools from kindergarten through college has been forecase by the Office of Education. It would be the announced.

Lawrence G. Derthick, commissioner of education, said the total for the 50 states and the District of Columbia is nearly two million more than the 46,720,000 enrollment for the 1959-60 school year.

He noted that Alaska and Hawaii were not counted in the 1959-60 estimate made in August 1959. Excluding them, enrollment was about 46,800,000 in 1959-60 and would be about 48,400,000 in 1960-61, he said.

Derthick estimated that 1,636,000 classroom teachers will be needed by the public and nonpublic elementary and secondary schools, or almost four per cent more than the 1,574,000 employed in 1959-60.

The commissioner said rising enrollment rates in kindergarten, elementary and secondary schools are due chiefly to the increased birth rates since the first years of World War II.

"However," he said, "the increase in college enrollments should be attributed mostly to a growing interest in attending college among high school graduates and the college-age population generally, since the rising birth rate has not yet had time to affect college enrollments materially."

Anticipated enrollments in public and nonpublic schools from kindergarten through Grade 8 are estimated at 34,380,000 for the 50 states and the District of Columbia, an increase of a million.

In Grades 9 through 12, the increase will be about 700,000—from 9,590,000 to 10,290,000.

Institutions of higher education, both public and private, will have an increase of 230,000, from 3¾ million to 3,980,000.

Dr. Rose takes drastic action—

# Two expelled, 84 students disciplined for UA cheating

## School to insist on honesty, says president's report

TUSCALOOSA, Ala., Aug. 10—Two University of Alabama students have been permanently expelled and 84 others disciplined for cheating during the Spring examinations, President Frank A. Rose announced today.

In keeping with University policy, names of the students were not revealed. Disciplinary action other than expulsion ranged from suspension for two years to disciplinary probation for the remainder of the students' college careers.

**The announcement by Rose concluded an eight-week investigation of cheating that came to light during the last days of Spring semester finals.**

The six-man investigating committee reported that there were several illegal entries of professors' offices for the purpose of securing examinations, and that there were cases of students buying and selling tests.

DR. ROSE STATED, "While less than 1 per cent of University students were involved, it was one of the most disheartening experiences for the administration, the faculty, and the other students.

**"Our faculty and students insist that we provide an environment of integrity and honesty and while our action might be considered severe, it will serve notice that the University of Alabama will not condone cheating in any form."**

The committee was headed by Dr. C. T. Sharpton, vice president for student affairs.

## Training of Negroes Urged

### Government Program Advocated to Provide Technical Skills

*The writer of the following letter, an Atlanta attorney, is a trustee of the Twentieth Century Fund.*

To the Editor of The New York Times:

The United States has 18,000,000 citizens of African origin, the largest Negro population on earth outside of Africa. The goodwill toward this country which exists in Ireland, Poland, England and Israel grows, in part, out of ethnic identity between peoples in those countries and our own. This goodwill should be duplicated many times over in the case of independent Africa.

Potentially, America has an enormous advantage over the rest of the world in relation to the African states if we could send there a large number of qualified American technicians of African descent. But this advantage, due to our regrettable failure to give our Negro citizens a fair shake economically and educationally, is largely potential.

The Negro population of the United States in 1950 was roughly 10 per cent of the total. If Negroes had been trained in professional and technical categories in relation to their total to the population, there would have been approximately 33,000 Negro auditors and accountants, not 960; 1,400 airplane pilots and navigators, not 60; 2,200 architects, not 180; 52,000 technical engineers, not 1,620; 16,000 physicians and surgeons, not 3,360.

The number trained for a job does not reflect the number employed in such. Often a Negro manages to get an education only to find that employment opportunities in his field are closed to him. Therefore his skill atrophies and he must turn to employment for which he is overtrained in order to live.

**No Exportable Surplus**

Clearly, we now have no exportable surplus of Negro professionals and technicians to staff foreign missions on a large scale.

However, where the national need requires it and public opinion has been molded to support it, this country can train those whom it needs rapidly and well. At the beginning of World War II, West Point was turning out officers after a four-year education. But officer candidate schools were established which trained adequate officers in six months or less. Language courses were established in which qualified personnel learned difficult languages with great speed.

**Many Negro youths, though qualified, lack the economic resources to pursue technical and professional education, A crash program of training thousands of underprivileged but natively qualified Negro citizens by the Federal Government would serve this country not only in its foreign but in its domestic interests.**

The problem requires Federal action because the national interest is involved which cannot be left to the diverse moods and capabilities of fifty states. Only the National Government can blow the bugle for national needs.

MORRIS B. ABRAM.

Atlanta, Aug. 9, 1960.

## FOURTH 'R' URGED BY TEACHERS UNIT

### Respect for Others Is Called Vital to U. S. School Plan

By LEONARD BUDER

Special to The New York Times.

DAYTON, Ohio, Aug. 18 — Schools must do more than just teach the three R's, a national meeting of teachers agreed today.

A fourth R—respect for others—must be made an integral part of the nation's school program, delegates to the annual meeting of the American Federation of Teachers declared here.

The delegates represent 60,000 union teachers throughout the country. They called for increased efforts, in and out of school, to ensure equal rights for all citizens, regardless of race or religion.

The convention adopted a statement urging "every teacher to be a positive force in teaching the Bill of Rights and respectful understanding for our own democracy."

On civil rights at home, the convention commended the appropriate planks in the 1960 Democratic and Republican party platforms. However, they urged that the politicians actively implement the platform proposals.

As expected, the convention voted financial and other support today to the New York City local, the United Federation of Teachers, which is seeking to be designated as the bargaining agent for the city's 40,000 teachers.

After the sessions, the officers of several locals told Charles Cogan, the president of the city federation, that their groups wanted to help and offered to make financial contributions to the New York campaign.

The five-day meeting, which is being held at the Dayton-Biltmore Hotel, will end tomorrow.

## STUDENTS FOUND NO LONGER 'BEAT'

### Leaders Report More Show Interest in World Affairs and Inclination to Act

Mon. 8-22-60

### COLLEGE TREND NOTED

### Participation in Sit-Ins Cited —1,000 Open Convention at Minnesota U. Today

Special to The New York Times.

MINNEAPOLIS, Minn., Aug. 21—The nation's college youth, sometimes described as the "silent" or "beat" generation, were reported today to be demonstrating that those labels were false.

Student leaders here to attend the Thirteenth Annual Congress of the United States National Student Association said that a new breed of student was emerging. If the influence of these students widens it was suggested, college youths in the not too distant future may become known as the "interested" generation.

The characteristics of this emerging group are an interest in what is going on in the world outside the campus and a determination to do something about the issues, according to Donald A. Hoffman, president of the association. He cited demonstrations against segregation as one example of this determination to exert influence.

These students, added Gary Weissman, chairman of the national executive committee, "do not look upon their college experience as a four-year period of projected adolescence that is removed from the outside world."

At present, the student leaders stated, the "interested" students are in a minority on most campuses, although their numbers are increasing.

At the other extreme, it was noted, are those who might be described as the "disinterested." These students do not feel any personal concern for the "big issues." For the most part, they are apathetic and silent about broad political and social problems.

Between the extremes, it was brought out, are those who feel that campus organizations should pretty much stick to college issues that they can affect, and those who once were interested but feel "beaten" by society

The majority of American students, asserted Paul Potter, associate editor of the Oberlin College student newspaper, are not apathetic, but are confused about their role as students.

The "interested" student, on the other hand, said Mr. Weissman, who is a former president of the University of Wisconsin student body, "is willing to make certain basic assumptions. He realizes something is wrong and he feels that it is up to him, and to everyone else, to do something about this."

The trend to greater concern on the campus, Mr. Hoffman added, is coming about because "many college students are fed up with the way things are going. During the nineteen fifties, he asserted, "our public figures were saying that everything was fine with the country and right with the world, that our society was perfect. But we know that this isn't true, that there is a lot that is wrong, that needs to be righted, and a reaction has begun to set in."

The student congress, at which 1,000 student leaders from 385 campuses are expected, will open tomorrow. It will continue through Sept. 1 at the University of Minnesota here.

14 1960

**Bowling Green Movers**

The Courier-Journal
Louisville Ky.
Wed. 6-1-60

# Students March Out With Their Desks

Special to The Courier-Journal

Bowling Green, Ky., May 31.—When senior- and junior-high-school teachers dismissed classes here Tuesday, the students all marched out with their desk chairs.

It wasn't mass larceny, however, for most of the student confessed they had seen enough of the classroom seats.

P. 1, 14

Instead, the children were carrying the furniture to storage in the nearby gymnasium, making way for remodeling of the two schools in a "new" Bowling Green High School.

School officials hope most of the renovation program will be complete when school reopens in September. The project will then be finished by "working around" classroom activity.

Dr. W. R. McNeill, City school superintendent, termed the moving project a splendid example of pupil interest and cooperation. He said it would save the school system considerable money.

**Schools and Colleges**

# Migrating Students Face Local Barriers

N.Y. World Telegram & Sun
N.Y. City, N.Y.
Tues. 6/1/60

## State Universities Setting Up Quotas Against New York-New Jersey Applicants

By JAKE SPRAGUE.

Barriers will rise in the next decade to restrict the number of New York and New Jersey students accepted in most publicly supported out-of-state colleges, a World-Telegram survey discloses.

P. 34

Both the Empire State and the Garden State are on the "debit" side in the matter of sending and receiving undergraduate students to and from other states; that is, New York and New Jersey colleges admit far fewer non-residents than the number who leave these two states to study elsewhere.

14

Since most of the migrating students go to state universities with comparatively low fees, this means that the taxpayers of other states help pay for the education of thousands of New Yorkers and New Jerseyites.

**Change in Sight.**

However, this situation may not long continue.

College presidents were polled on this question at a conference of the National Assn. of State Universities. With few exceptions they agreed that restrictive quotas against New York and New Jersey students may be set up within five years. Such quotas, they said, will have to be established because swelling enrollments of their own are forcing state campuses to make room for more students—at the expense of out-of-staters.

One university president said especially stringent quotas may be placed on New York and Jersey students because these states "apparently are doing almost nothing to help solve the college enrollment problem."

**Graduate Study Open.**

However, no restrictive policies are in sight on the post-graduate levels, where no serious overcrowding problems exist.

The college presidents, queried emphasized that they wan their universities to have a sampling of students from all states. However, they noted that state legislatures have been coming under increased pressure to curtail out-of-state enrollments as attendance figures have risen.

Dr. John Hannah, president of Michigan State University, for example, said enrollment restrictions at his school are 'no longer a possibility but a certainty."

"It looks like we are going to have to clamp down on out-of-state enrollment in the next few years." Dr. Virgil Hancher, president of University of Iowa, agreed. "And when we do we will have to give preference to neighboring states."

Dr. William B. Aycock, chancellor of the University of North Carolina, said out-of-state enrollment there is now limited to 15 percent of total enrollment. "And theer is a great liklihood we will have to cut that figure by 1965," he added. "I'm afraid we will have to be more selective in picking out-of-state students."

# Why Not Use Chaplains in the Public Schools?

The New York Herald Tribune
Mon. 5/16/60

To the N. Y. Herald Tribune:

Like many other attempts to find a solution to juvenile delinquency, the most recent program developed by the Legislature of the State of New York is commendable but inadequate, as it fails to reach the root of the problem.

The latest seven youth crime bills which Governor Rockefeller signed and termed "a new and dynamic approach" in the drive on teen-age lawlessness deal only with the surface of the perplexity in their endeavor to sentence fifteen-year-old criminals; to centralize parole facilities for youth; to increase the number of inmates in conservation work camps, and to provide rehabilitation centers for youngsters who receive suspended sentences on pleading guilty.

The Governor's inadequacy in this direction stems from his concentration on correction rather than on a consideration of prevention.

**Delinquency in a juvenile does not break out suddenly. Years before being brought into court, he shows signs of emotional disturbance and misbehavior in school. Truancy is one of the signs, as are marked inattention, boredom, excessive lying, antagonism, poor performance in school work compared to ability. Such symptoms appear early. As pointed out by some students of the subject, the average age of the first delinquency is nine years; and that some five years of overt misbehavior antedate court appearances.**

The auspicious time of treatment for effective therapy is when the first signs appear. The appropriate person to pay attention to such manifestations and to render guidance would be the teacher, the educator. Unfortunately the average teacher has neither the time nor the training for such a task. Moreover, too many instructors regrettably regard their profession as a job rather than as a sacred calling to mould the character of the children; theirs is just to teach a subject, not to take a personal interest in the child's problems.

In the Hebraic tradition, the educator is regarded as more than a mere instructor. He is the students' guide, the mentor, the inspirer, the confidant. In the Bible, the Hebrew word "father" ("ahb") means also educator. His relation to the pupil is not cold, professional, and finished when the bell rings.

Since the nature of our school system is what it is, the young student who faces perplexities and difficulties has frequently no one to whom to turn for counsel.

One method of dealing with the matter of being helpful to the forlorn pupil is to follow the pattern set by other institutions—namely, to utilize the services of chaplains. Every school that faces the problem of juvenile delinquency should be assigned a chaplain who is trained in counseling the youth and in guiding the disturbed. Through his fatherly attitude, his dedication to service, his sympathetic understanding, he would win the trust and confidence of the problem students. He would guide the confused and maladjusted, and counsel the distressed and the emotionally disturbed. He would assist them in overcoming their anxieties and frustrations, and in alleviating their tensions.

**Primarily, the chaplain would help the problem pupils to regain a sense of self-worth, to accept themselves and be accepted, and thus to become properly integrated. Assisted in developing a proper pattern of living, the students would realize a sense of purpose and direction. In this wise, the chaplain would cope with the problem of the disturbed pupil at the early stages, and master it before it grows out of control and becomes a court case.**

It is high time for our leaders in the realm of education to realize that the child is entrusted to the school to provide for his total needs; for the fulfillment not alone of his intellectual demands, but also of his emotional requirements. The school should help the child to develop a proper pattern of living and a wholesome personality.

When the school personnel is not equal to this task, the chaplain—the dedicated counsellor who understands the emotionally disturbed, who is consecrated to the ideal of service, who takes a personal interest in peoples' problems—should be made available and easily accessible by our educational authorities as part of the curriculum.

Chaplaincy service is being extended to inmates of mental hospitals, prisons, correctional institutions, and youth shelters. Why wait for the emotionally disturbed pupil to become delinquent and an inmate in such institutions where he obtains it, when he could perhaps be prevented from delinquency if offered the chaplain's guidance at school?

**Those who are prepared to raise objection to chaplaincy at schools on the basis of separation of church and state should realize that chaplaincy service is rendered in the United States Army, Navy, and in many state and city institutions. This is no violation of our constitution or of the principle of separation of church and state. This is a manifestation of the wisdom of the state to utilize the service of the church. May the schools, too, show such wisdom!**

MOSHAY P. MANN,
Rabbi, Congregation Ezrath Israel,
The Actor's Temple.
New York.

# Students Told Of Need for Technicians

## Engineering Studies Too Tough for Some

WASHINGTON, May 30 (AP).—A drop in engineering school enrollments has some authorities concerned even while from another quarter comes the suggestion that too many students are doggedly pursuing engineering degrees when they'd be better off as technicians.

Says Dr. Henry H. Armsby, engineering specialist in the United States Office of Education:

"The Soviets are way ahead of us in turning out technicians. And modern industry can't operate without lots of technicians, good ones."

Sometimes it's the student who is too ambitious for his own good.

"It is the great American urge to get a college degree," Dr. Armsby says. "Too many students who just don't have what it takes try for an engineering degree. Many would be first-class technicians, but they either go into another field or, at best, wind up as second class engineers.

**Technicians Needed**

"And this country needs good technicians more than it does poor engineers."

But a two-year decline in engineering enrollment has not produced a significant increase in the number of students seeking to be technicians. It has been taking place against the background of a booming enrollment in science, and professional engineers and engineering faculties are disturbed by the figures.

Dr. F. T. Mavis, dean of the College of Engineering at the University of Maryland, pointed out that science attracts many students because it gives them a chance to work completely on their own. Engineering, on the other hand, is primarily a team job in which an engineer, a scientist and a technician pool their talents and resources.

The engineering profession has been moaning low in recent months about the decline in engineering enrollments. Dr. Armsby takes a more philosophical approach.

**Swing Is to Science**

"The country needs both scientists and engineers," he says. "Right now the swing seems to be toward science, it may swing back to engineering next year, or the year after.

"At the top level, there really isn't too much difference between the fields. Some physicists turn out to be engineers, some engineers turn out to be physicists."

As to the question of technicians, Dr. Armsby notes that many students go in over their academic depth because they, or their parents, think "you just have to have a college degree."

"There are many rewarding jobs in technology," he says. "The technician is an extremely valuable man who falls midway between the engineer and mechanic."

How to divert those who haven't got what it takes to be an engineer to technician jobs where they'd be needed?

Dr. Armsby and other educators agree the solution is to be found in better student counseling and college programs designed to educate all students to the best level they're capable of reaching.

# Who Should Be Educated?

The New York Times

Higher education in the United States, costing more and more each year, attracting larger and larger numbers of students, is still not reaching all the young men and women it ought to reach and is being wasted on some who are getting no real benefit from it. This is a conclusion one has to draw from a report made public Saturday under the auspices of the College Entrance Examination Board. Dr. Samuel A. Stouffer of Harvard University describes the situation as "a sad indictment of American democracy."

The contributing educators found that color, race, economic position and social background were factors in some admission policies; that colleges seek for athletic talent but not for academic talent; that too many students of superior ability drop out of college; that creative students are sometimes passed over because they are handicapped by an early, underprivileged environment, and that not enough is known about how to measure ability.

Not everybody needs to go to college. Dr. Donald S. Bridgman of the National Science Foundation thought the public should realize "that occupations for which less formal education is needed are more satisfying to the interests of many individuals."

Turning the facts and figures around in one's head, one may approach the conclusion that the question is not whom we can permit to go to college but whom we cannot afford to keep out of college. Higher education cannot be made available to literally every young person in any early future, but it must be made available to every young person who is able to use it for the good of the community.

In short, the processes of selection—one might even say of academic recruitment—must be vastly improved. Intellect, character, the ability to influence other people in constructive ways—all these are important. Other criteria, including family income, ancestry, or the prospective student's prowess in football, are, to put it mildly, of lesser importance.

# Talented Students To Participate in Summer Courses

The Washington Post

Several hundred area students who may feel they have only a nodding acquaintance with knowledge will have an opportunity to deepen the relationship this summer.

They have been selected to participate in special programs designed to give academically talented youngsters the chance to do the laboratory work, discussion, and intensive study they don't have time for during the regular year.

Some of the children will be "guinea pigs" for a course conducted jointly by the University of Maryland and Montgomery County schools to show teachers just how much "able-learners" can learn.

About 80 teachers will observe four groups of elementary and junior high school students display their academic prowess in hopes of picking up pointers on how to recognize and stimulate talented students in their own classes.

For the students, the three-week sessions will be a sort of academic game in which they can let their imaginations run rampant with a general subject tossed out by the demonstration teacher.

**Started Last Year**

Last year, the first time the course was tried, 5th and 6th graders were asked to project themselves 100 years into the future.

Elizabeth Wilson, a Montgomery County school aide who helped conduct the program, said discussions and written work touched nearly every branch of knowledge, including science, mathematics, sociology and politics.

While students in the "Able Learners Workshop" are exploring the unknown, other academically talented children will be trying their hand at laboratory work and new branches of science and mathematics.

About 25 area high school students will participate in an 8-week college-level research program at Howard University which is being financed by the National Science Foundation for young scientists from all over the Nation.

The students will do research in zoology, chemistry, physics, medicine and dentistry with one of eight university research teams.

**Observe Scientists**

Freed from their desks, they will also observe scientists in action at various Federal agencies around the city and visit museums and other points of scientific interest.

Similar courses in advanced science are being conducted in Montgomery, Fairfax and Arlington Counties. Montgomery County is also offering advanced mathematics for elementary and high school students.

While science and mathematics are still leading the field of special courses for exceptional students, increasing attention is being given to enrichment programs in the arts and letters fields at elementary and secondary levels.

Prince Georges County inaugurated a summer program in art, music and drama for 5th and 6th graders this year to supplement its new science and arithmetic courses.

Montgomery County is offering literature and creative writing for talented elementary school pupils, and Arlington has introduced a creative dramatics program for students of all ages.

Emphasis in the Arlington program will be placed on acting to "help students gain understanding of themselves and others." Senior high school students will also get practice in expressing themselves in group discussions.

14 1960

# $100 Million Education Plan Unveiled By Gov. Rockefeller

The Montgomery Advertiser
Montgomery, Ala.
Sun. 1-10-60.
P. 2

ALBANY, N. Y. (AP) — Gov. Nelson A. Rockefeller unveiled this week a 100-million-dollar proposal for aid to education chiefly through local nonproperty taxes. The plan would help achieve the pay-as-you-go financing he promised for the new fiscal year.

He told the opening session of the 1960 Legislature that, under his long-expected plan, school districts needing money would band together and impose nonproperty taxes, such as sales or local income taxes.

The state budget, he said, would be on a pay-as-you-go basis and would be no higher than this year's $2,021,000,000 spending program.

Opposition has been mounting in recent years to heavy property taxes to support schools for the rapidly growing younger generation. Bond issues for schools have been turned down with increasing frequency.

**'IT IS OBVIOUS'**

Property taxes on the local level account for more than half of the financing for schools. The rest comes from the state.

"It is obvious that the local cost of education can no longer be met by property taxes alone," the Republican governor told the joint session of the Senate and Assembly.

In other highlights of his annual message, Rockefeller proposed:

1. Use of state funds to offset declining revenues from the federal highway program and maintain long-range highway building programs at current levels.

2. An increase from $45 to $50 a week in unemployment insurance and workmen's compensation benefits.

3. Tax relief for small businesses, modifications of the truck mileage tax, simplification of procedures for filing state income taxes, and a $15 increase in the tax credit allowed unmarried or widowed taxpayers who are heads of households. Previously they received only the $10 credit allowed singled persons.

There was no over-all estimate available of the income loss to the state in Rockefeller's tax proposals. But under the higher credit to heads of households, it is estimated the state would lose $3,750,000 a year from 250,000 taxpayers.

4. Programs to help workers displaced by automation learn new skills and find new jobs.

5. A program of work camps, improved probation facilities and tougher handling of 15-year-olds involved in serious crimes as steps in combatting juvenile delinquency.

6. A highway-safety program that would tighten laws against drivers who drink, speeders, habitual offenders, and careless drivers. The plan provides for periodic re-examination of drivers and greater control by parents over junior operators.

7. Raising to $1 the minimum wage in industries now controlled by a series of wage orders issued by the state, some of which are above a dollar, some less.

Rockefeller gave few details on his school tax plan. He said a special message on the subject would be presented soon.

The governor expects that the plan will produce 80 million dollars in local money in the next school year. He also will propose that 20 million dollars in new state aid be allocated.

## Enrollment outnumbers population—

# Town is tiny but its school is example to entire state

The Birmingham News
Birmingham, Ala.
Sun. 1-10-60.
P. 1

BY TRUDY CARGILE
News staff writer

DALEVILLE, Ala., Jan. 9— Daleville may be one of the smallest incorporated towns in Alabama but there is a possibility its high school may become the state's pace-setter in many respects.

Population of Daleville is approximately 200 and until last year enrollment at the nine-grade school was 150. Before the end of that school year, enrollment had climed to more than 800.

**With 957 attending classes today, Principal Lloyd Thrasher said the figure will grow to a minimum of 1500 next year and possibly to 1800.**

TO KEEP PACE with the fantastic increase, 23 classrooms and cafeteria were built last year, another 21 are nearing completion and plans are on the drawing board for a multi-purpose auditorium. All building is through federal aid since the school serves Fort Rucker which accounts for 84 per cent of the enrollment.

The swift increases is attributed to the building of housing on the base, according to Thrasher. He said 600 units were completed here last year and another 400 are under development.

**While the Daleville school already holds a record for growth, its leaders are already thinking in terms of decentralized cafeteria service, year-round classes on the quarter system and air conditioning throughout to make classes in the Summer comfortable for the students.**

ANY OF THESE probably would constitute a "first" among the state's schools and could possibly out-distance other Southern states, he pointed out.

The air conditioning factor was kept in mind in the construction of classrooms. Conversion will require no more than an air cooler should the school adopt the quarter system.

**LEADERS DISCUSS SCHOOL PLANS**
**. . L-R: Principal Lloyd Thrasher, Col. John W. Oswald**

**Classes on a year-round basis would not mean that the students would not have free months. Thrasher pointed out that each student would be required to attend only nine months. The change, however, would benefit children of service men returning from foreign duty during the school year.**

THE DECENTRALIZED cafeteria, tried only in a few Northern states thus far, would involve a portable food dispensing system to the classrooms. Feeding the present enrollment necessitates shifts every 15 minutes over a two-hour period, Thrasher said.

The school is among the few offering at the junior high level courses in German, French, and art.

**Attention has been centralized in the main thus far on construction of adequate classrooms and securing a sufficient number of teachers for the multi-unit classes.**

THE LATTER HAS proved a problem in some respects, said Thrasher, since Daleville offers no housing facilities and most teachers must commute from nearby towns.

While finance is not a major problem here, Daleville High and its military majority Parent-Teacher Assn. are working double time to provide other facilities and improvements desirable in a school.

**Under the leadership of Lt. Col. John W. Oswald, the PTA is striving to improve the school's library, provide playground equipment and an inter-communication system for the rambling building.**

THE SCHOOL IS looking to its PTA, the County Board and Daleville for landscaping, a stadium and band equipment. A $300 check from the City of Daleville was presented this week toward the stadium, Thrasher said.

Oswald pointed out that his organization, a double award winner in the state, already has advanced with its plans for improvements with the donation of $200 for library books last year and another $300 planned for this year.

A goal of $3000 has been half met thus far, he said.

# A Federal School Handout?

The Birmingham Post-Herald 3-18-60

LONG DEBATED, from street corners to the halls of Congress, the federal aid to education issue is pressuring its way to the forefront of the Congressional agenda this election year, with the climactic showdown due to make among the biggest headlines stirred by Capitol Hill. Lines are drawn and the possibility is a break in some degree with the nation-old concept of public school financing and operation as a state and local responsibility.

Four bills, representing in various degrees concession to the pressures for tapping the federal treasury for public schools, await the action of Congress. Procedural hanky-panky or an Administration-Congress deadlock represent the major hope of those members of Congress who remain convinced that America's public schools are solely state and local responsibilities and should remain that way.

LEAST OFFENSIVE to that segment of Congress is President Eisenhower's concession to drum-beaters for federal aid to education, a $3 billion bond issue for classroom construction, half the debt service cost (principal and interest) to be paid by the federal government. Expense to the federal government for the 20-30 year issue would be $2 billion.

A Republican variant of that, the Cooper-Javits bill, would up the bond issue to $4 billion and would make somewhat less rigid conditions for use of the money.

A presidential gauntlet was thrown for the Northern liberal Democrats in his State of the Union message when he warned, ". . . the route to better trained minds is not through swift administration of a federal hyperdermic needle or sustained financial transfusion . . . The education process . . . cannot be made to leap ahead by crash, centralized government action."

AT ODDS with the President on that viewpoint are the supporters of the so-called Murray-Metcalf bill, House-originated, which provides direct federal grants of $1.1 billion annually for four years to state and local school systems. No matching funds would be required. If all the money were used for classrooms, it is estimated that 110,000 could be built. Backers of this bill are leading the charge on the federal treasury with the hope that Congressional voting strength will bowl over the administration's roadblock.

Sen. McNamara of Michigan has offered a more moderate proposal by which state and county systems would match $1 billion in federal grants over a two-year period for classroom construction.

In taking a jaundiced view of any and all of the proposals for adding to presently sky-high federal expenditures, one is not shrugging off or minimizing the importance of education or the challenges it is currently presenting the nation.

CONCERN OVER the public school system, both as to academic standards and adequacy of classrooms and equipment in this period of explosive school population increase, is evident. Congress may be trying to make some political hay out of public school inadequacies in this election year. But that in no way negates the actualities stirring justified concern for public education.

At the same time, is there any reason to believe, as the President points out, that education's answers will be found by pulling the lever on the federal treasury? Is a federal dollar of more merit than a state or municipal dollar in operating our school systems? Is there not a strong possibility that the public school program, traditionally a state and local privilege and obligation, could be drastically, and undesirably, altered in character and substance by federal influence?

We are all aware, surely, that the current congressional proposals represent only "foot in the door" gestures, however expensive. Like the so-called "farm problem," it would be but a short time until political pressures ballooned the short-term "emergency" education appropriations into a permanent and increasing load on the federal taxpayer. Federal budget experience certainly confirms that.

ON THE PREMISE that American children are not getting a "quality education" and that they won't get a "quality education" until a massive federal aid program is put into effect, the National Education Association, the potent professional group, is staging a high-pressure sales campaign on behalf of the $4.4 billion Murray-Metcalf bill.

The NEA's contentions take a lot of the sparkle off the achievement of the state of Alabama this past year in answering the needs of our public schools. Most people thought quite a bit of educational quality could be provided by the additional millions of Alabama dollars voted by the Legislature for salaries, buildings and equipment.

Experience doesn't tell us that federal dollars are a necessary element in a well-educated young American. Experience, in fact, contributes to proving that that is far from necessary.

Like a lot of other people we'll have to admit ignorance as to the specific elements of the NEA version of a "quality education," but one thing that it must involve is professional pride and efficacy in operation of our public school program. Are federal dollars required to assure that?

# Britain Wants To Keep Students In School Until At Least Age 16

The Courier-Journal Louisville Ky Mar 3-24-60

## They Can Quit When 15 Now

By SETH S. KING

© New York Times News Service

London, March 23. — The Government has agreed that all British children should be required to attend school for a year longer than they now do.

But the Minister of Education said that no date could be set for raising the minimum school-leaving age from 15 to 16 because there was no way of knowing when the Government could meet the costs of the change.

During the debate in the House of Commons on a special education report, a succession of problems was raised that would sound familiar to any American parent: shortages of trained teachers, lack of school buildings, and the rise in educational costs.

### Emphasizes Contrast

The debate also emphasized the contrast between the American and British systems of free, compulsory education at the secondary levels.

Under the British system all pupils in the supported (free) schools are given a comprehensive examination at age 11. Those who make a qualifying grade are placed in "grammar" or technical schools to prepare for college. The remainder, about 80 per cent, are placed in "secondary modern" schools.

Here the 80 per cent are given a non-preparatory education until they are 15. They may quit. Or they may remain in the secondary modern schools taking "extended courses" until they are 18.

Sir David Eccles, the Education Minister, told Commons that in the past the majority of the secondary-modern students had left at 15.

But now an increasing number are choosing to stay on for additional study in the hopes of getting a better job or carrying on their education in the technical fields.

"We propose to intensify the drive to expand additional education of all kinds on a voluntary basis," Eccles said. "But we wish to keep an open mind on the question of compulsion until we have more experience."

### Wants Limited Classes

The Government believed it was more important, he continued, to reduce the numbers of pupils in each classroom before raising the "school-leaving age."

A limit of 40 pupils in each primary class and 30 in the secondary classes was the goal, he said.

If pupils are required to remain in school until they are 16, it would require increasing the number of places in Britain's three-year teacher-training schools from 23,000 to 47,000.

The Government hoped to do this, Sir David said. If it succeeded, it might be possible to set the 16-year compulsory requirement for 1970.

### Sets 1965-70 Goal

The Central Advisory Council for Education, whose report was the basis for the debate, recommended raising the school-leaving age to 16 sometime between 1965 and 1970. It also recommended establishing "community colleges" to provide compulsory part-time education up to age 18.

The Government's endorsement of the special report was applauded by the opposition Labor Party, whose spokesmen declared that many of the recommendations had long been advocated by their party.

**A FIRST** — Mrs. Elizabeth Murphy Phillips, appointed last week to the Baltimore Board of School Commissioners by Mayor Grady, is shown here with her three school-age children. They are Marie, 11; Benjamin, 6., and Rachael, 4. Mrs. Phillips is the first colored woman to serve on the board. She is assistant to the president of the AFRO-AMERICAN Co. Rachael is a pupil at the Little School.

* * *

**THE OTHER** nominees are: store president; Henry P. Irr, president and board chairman of the Baltimore Federal Savings and Loan Co., and Mrs. Maree C. Farring, president of the Brooklyn Community Council.

Mrs. Phillips will be the first colored woman in the city's history to serve as a school commissioner. Two other colored persons have served previously.

In nominating Mrs. Phillips and the three others, Mayor Grady said: "I have been guided solely by such consideration as the character, integrity, capability and demonstrated interest in education of these appointees."

# Mayor names 4 to school board

BALTIMORE

Mrs. Elizabeth Murphy Phillips was one of 4 persons nominated Thursday by Mayor Grady to serve on the Baltimore Board of School Commissioners.

**Mrs. Phillips, executive assistant to AFRO President Carl Murphy, becomes a first.**

In the past, only white women have been named to the board.

Mrs. Phillips and two other persons will serve six-year terms ending March 1, 1966. They are:

Samuel Epstein, department store president; and Henry P. Irr, president and chairman of the board of Baltimore Federal.

The fourth nominee, Mrs. Maree C. Farring, president of the Brooklyn Community Council, was named to fill the unexpired term of six years ending March 1962.

**IN MAKING** the appointments. Mayor Grady said, "I have been guided solely by such consideration as the character, integrity, capability and demonstrated interest in education of these appointees.

**"Each has firmly established his or her position of leadership in varied civic and community affairs, and all are truly outstanding and representative Baltimoreans.**

"Two of the four appointees have children attending the public schools, so that parents of public school pupils now have stronger representation on the Board."

The new members are named to succeed Dr. Bernard Harris Sr., who resigned, R. Samuel Jett, Mrs. William J. Rysanek Sr., and Dr. Elizabeth Morrissy, whose terms expired.

Of the outgoing board members, Mayor Grady said: "They have all served faithfully, diligently and with distinction. They have earned the sincere gratitude and appreciation of their fellow citizens. . .'

* * *

MRS. E. M. PHILLIPS

**A BIOGRAPHICAL** sketch of each of the new members follows:

Mrs. Elizabeth M. Phillips (Mrs. Frank Phillips) resides at 2047 N. Bentalou St., and is executive assistant to her father, AFRO President Carl Murphy.

She received her education in the Baltimore public schools, Morgan State College, Howard University and the University of Minnesota. She attended the managing editors seminar of the American Press Institute at Columbia University in 1953.

**Mrs. Phillips is the mother of three children, Marie, 11, and Benjamin, 6; currently enrolled in Roosevelt Elementary School No. 18; and Rachael, 4, a pupil at the Little School.**

She is a member of the Parent - Teacher Association of School No. 18, the Parents Club of the Little School, the Mothers' Club of St. James Episcopal Church, and the Baltimore Chapter of Jack and Jill of America.

* * *

**SHE HOLDS** membership also on the advisory committee on adoption of the Family and Children's Society, the board of directors of the Crownsville State Hospital Women's Auxiliary, and the Business and Professional Women's Club which awarded her the coveted Sojourner Truth plaque in 1958 for superior community service.

**Mrs. Phillips is a life member of the NAACP, an elector of the Baltimore YWCA, president of the We Wives Club.**

She belongs to the Philomathian Club, the S.S. S. Club, Provident Hospital Ladies Guild, Rebecca Chapter, Order of Eastern Star, Delta Sigma Theta Sorority of which her mother, the late Vashti Turley Murphy, was a founder; Jerusalem Court No. 1, Daughters of Isis, and the Psi Gamma Mu Sorority.

She is secretary to, and a member of the board of directors of the AFRO-AMERICAN CO. . . and a member of the Pennsylvania Women's Press Association and the Md. Press Association. She writes a weekly column, 'If You Ask Me,' under the pen name B. M. Phillips.

During World War 2, Mrs. Phillips was accredited as a war correspondent and saw service in England, another first.

* * *

**MR. EPSTEIN** resides at 3503 Copley Rd. He is the president of Epsteins Department Stores which operate four retail establishments in Baltimore.

A graduate of the Baltimore public schools, Baltimore City College and Strayers Business College, Mr. Epstein is the president of the Beth Tfiloh Congregation and former chairman of the Board of the Congregation.

He is a member of the National Board of Jewish Education, the Board of Sinai Hospital, and the Jewish Welfare Board of Baltimore.

# Council meets to confirm Mrs. Phillips

BALTIMORE

The Baltimore City Council meets Tuesday to act on the nomination by Mayor J. Harold Grady of four new members of the Board of School Commissioners.

Youngest of the group is Mrs. Elizabeth Murphy Phillips, executive assistant to Dr. Carl Murphy, president of the AFRO-AMERICAN Newspapers.

Upon confirmation by the Council, Mrs. Phillips will serve a six - year term. She is the mother of three children. Marie, 11, and Benjamin, 6, are currently enrolled in Roosevelt Elementary School; Rachel, 4,

**Mr. Irr, president and chairman of the Board of the Baltimore Federal Savings and Loan Association and president of the Colonial Title Guarante Co., of Baltimore, lives at 111 St. Albans Way.**

He is chairman of the president's board of Loyola College and a member of the Board of Trustees of Mount Saint Agnes College.

He has served as chairman of the United College Fund drive in Maryland and co-chairman of the Maryland Region, National Conference of Christians and Jews, chairman of the Maryland State Planning Commission and vice - president of the Baltimore Area Council, Boy Scouts of America.

**MRS. FARRING** is the mother of a student who is attending Baltimore Junior College after graduating from Baltimore Polytechnic Institute.

**She was appointed by former Governor McKeldin to serve on the Green Commission which studed the problem of school finance in Maryland.**

For more than 20 years she has been active in Girl Scout activities and is presently neighborhood chairman for Girl Scouts in the Brooklyn area of Baltimore.

# Council okays 4 to school board

The Afro American
Baltimore, Md.
Sat. 6/11/60
P. 3

Baltimore's City Council gave unanimous approval Tuesday to the four new nominees named by Mayor J. Harold Grady to the Board of School Commissioners.

**Mrs. Elizabeth Murphy Phillips, executive assistant to the president of the AFRO AMERICAN Co., is among nominees approved.**

MRS. PHILLIPS

14. Md.

Mrs. Phillips, 43, youngest among the group and the mother of three children attending schools, thus becomes the first colored woman named to the School Board.

The other nominees are:

* * *

**SAMUEL EPSTEIN,** department store president; Henry P. Irr, president and board chairman, Baltimore Federal Savings and Loan Assn., all of whom will serve six-year terms ending March 1966; and Mrs. Maree C. Farring, president, Brooklyn Community Council, who will serve until March 1962.

Mayor Grady will swear in the new members on Monday at 10:30 a.m.

Friends and relatives may attend the ceremonies in the Mayor's city hall offices.

Mayor Grady, in nominating Mrs. Phillips and the three others, said:

"I have been guided solely by such consideration as the character, integrity, capability and demonstrated interest in education of these appointees."

* * *

**TWO OF** Mrs. Phillips' children, Marie, 11, and Benjamin, 6, are enrolled in Roosevelt Elementary School, and the third, Rachael, 4, attends the Little School.

**While Mrs. Phillips is the first colored woman to serve as a school commissioner in Baltimore, three colored men have served previously. They were George W. F. McMechen, Dallas F. Nicholas, attorneys, and Dr. Bernard Harris Sr., who recently resigned.**

McMillan

Grand Rapids school system, taught for six years in Idlewild, Mich. He also served as a scout master and baseball coach at Idlewild and Baldwin, Mich.

The Louisville Defender Louisville, Ky. Thurs. 8-33-60

# Louisvillian Named To Michigan Post

Louisville native Joseph McMillan became the first Negro named to a Grand Rapids, Mich., school administrative post this week at a meeting of the city Board of Education.

School Superintendent Benjamin Bruinsma made the recommendation to the board at its meeting last Tuesday. He asked the board to hire McMillan, a 6th grade teacher, as principal of the Sheldon Elementary School.

The former principal of the school, John Bruinsma, was named principal of the Harrison Park Elementary and Junior High School.

McMillan, 30, of 837 Dunham St., S.E., Grand Rapids, is a 1949 honor graduate of Central High School. He is the son of Mrs. Lillian McMillan, of 513 Heywood, Louisville.

He received his A.B. degree from the University of Louisville in 1950 and the M.A. from the University of Michigan in 1959, while an instructor in the Grand Rapids school system.

McMillan, before joining the

14 1960



# Health Poor, School Board Member Quits

Journal
Sept 26 1960
Bd. Boards
Norfolk, Va.

JERSEY CITY, N. J. -- Fred W. Martin, veteran business man and former newspaper publisher, has resigned from the Jersey City board of education because of poor health after serving two years.

In leaving the board, Mr. Martin criticized a proposed additional expenditure of $395,000 for textbooks and suggested that the money should be spent for a gymnasium for Ferris high school to avoid loss of accreditation.

**MR. MARTIN** also complained about "compressed classes," and said that the board should use excess funds to provide summer work for children in such classes and save many of them from failure.

The retiring member called for a $5,000 annual minimum and a $10,000 maximum for teachers, with $400 annual increases. Mr. Martin asked the board to set aside funds to meet increasing law suits.

14 1960

SCHOOL BOARD D.C.

# District Court Picks Mrs. Roberts for School Board Post

The Washington Post
Washington, D.C.
Fri. 6-24-60

14 10C

By Carole Bowie
Staff Reporter

Mrs. Charles Roberts, a former vice president of the District Congress of Parent-Teacher Associations was appointed yesterday to a 3-year term on the District School Board.

1,3

District Court judges chose Mrs. Roberts, an active participant in school affairs for more than 10 years, to succeed Mrs. Frank S. Phillips who was not a candidate for reappointment.

The judges reappointed two incumbent Board members—Wesley S. Willlams and Dr. Preston A. McLendon. McLendon, a pediatrician, will serve his second term on the Board. Williams, an attorney, was first appointed to the Board in 1951.

Mrs. Roberts said she became interested in serving on the School Board out of gratitude for the "excellent" education her 15-year-old daughter, Maureen, has received in District schools and a desire to see "the schools attain the place they should have in the Nation."

As a new Board member, Mrs. Roberts said she will have to "feel her way along" while she learns the "ins and outs" of school problems and the operations of the Board.

But, she declared, her experience as a substitute teacher in District schools has made her aware that "reducing class sizes in secondary schools" is a matter of first importance.

Mrs. Roberts, whose husband is Deputy Director of Personnel in the Department of Labor, has lived in the District since 1946. Her present home is at 4212 Ingomar st. nw.

McLendon Mrs. Roberts Williams

. . . *School Board appointees*

She holds master's and bachelor's degrees in language from Syracuse University. Her community activities include a term as vice chairman of the Commissioner's Youth Council for Area B during which she helped organize the "odd-jobs" program for teenagers in the Northwest.

She also has been president of the Hearst P-TA and the Alice Deal Junior High School Home and School Association and is currently chairman of the Wilson High School Home and School Association Legislation Committee.

Mrs. Roberts now heads a committee of representatives from faculty and parent groups from the city's junior and senior high schools which is working to improve classroom teaching situations.

'Can be great enterprise'—

# Adult education leader feels debates by Kennedy-Nixon big civic lesson

WASHINGTON, Aug. 4—(AP)—To most people, the proposed television debates between Sen. John F. Kennedy and Vice President Richard M. Nixon represent just another way the two men can campaign for the presidency.

But to Dr. Ambrose Caliver they represent the gratest opportunity this contry has ever had for a mass approach to adult civic education. He hopes to involve thousands of teachers and millions of students in a nationwide discussion of national issues facing the voters this Fall.

**Final plans for the Kennedy-Nixon debates have not yet been worked out, although both candidates have agreed to participate. It is believed they will be carried by all three major TV networks, probably starting in September.**

Dr. Caliver, vice president of the Adult Education Assn. of the United States (AEAUS), outlined his high hopes and his tentative plans today.

"WE WANT TO SEE discussion groups held in every city and town across the nation," he said. "It is entirely a local problem, and it can be handled within the present framework of adult education programs—in big groups or small, meeting in homes, churches, schools or everywhere.

**"We in the association plan to provide study guides, which we hope local newspapers will print on the days of the debates.**

"We want the American people everywhere to watch and listen to the debates, and then to study and discuss the issues. This can be a great enterprise for citizenship education, and the involvement of citizens in a study of the issues and the fundamentals of our national life."

# W. T. Graham Asks For Volunteer Teachers In Adult Literacy Program

W. T. Graham, president, North Talladega County Literacy Council, has issued another appeal for volunteer teachers to assist with the Adult Reading Program.

"It is not necessary to be a professional teacher," Mr. Graham said. "Sunday School teachers, housewives, and business men and women make excelelnt teachers.

"In fact," he added, "the only requirement is that you love people and want to help them live better."

The workshop schedule for teacher training has been set up and there will be other workshops planned if necessary.

The workshops are divided into two sessions. It preferrable to take Section 1 before Section 2 but this is not required. If a volunteer teacher should miss a session he can make it up in another workshop, as the workshops are identical.

On Wednesday and Thrsday, Sept. 14-15, workshops will begin at 9 a.m. in the Clardy Classroom, First Methodist Church.

A second workshop at the same place is scheduled for Wednesday and Thursday, Sept. 14-15, beginning at 1 p.m.

Mr. Graham urged interested Talladegans to volunteer for this worthwhile project.

"If you can imagine not being able to read the Bible, not being able to read labels in a grocery store, not being able to read papers you're asked to sign, not being able to look up a telephone number, not being able to read road signs, then perhaps you'd like to help those in our county who cannot do these things for themselves."

Classes for adult non-readers will be held on Monday, Wednesday and Friday nights in centers located near the students.

Teachers will be asked to arrive at the center by 8 p.m. The teaching program will be telecast from 8½30 until 9 o'clock.

In each center the volunteer teacher will assist the student make clear information presented in the television lessons.

"It is the goal of the iLterracy Council to have four teachers trained for work in each center. The teachers then may work out schedules which will be mutually satisfactory," said Mr. Graham.

"Students are now being approached and enrolled and a number of interested persons have volunteered to give time as teachers.

"But we need more teachers. If you can spare a few hours to help your fellowman then you are the one we need," concluded Mr. Graham.

# Teachers Urgently Needed In Adult Literacy Program

An urgent appeal is being made for teachers to assist with the adult reading program in North Talladega County.

Tonight at 7 o'clock the first workshop of teachers will be held in the Clardy Classroom, First Methodist Church. Thursday night at the same hour the second period of instruction will be held.

W. T. Graham, president of the North Talladega County Literacy Council, is anxious to secure the teachers necessary to head the classrooms on Monday. Wednesday and Friday nights during the 98 class sessions set up under the program.

Persons interested in teaching non-readers are asked to attend these workshops or to contact Mr. Graham at EM 2-9034 or Doug Kelley, county superintendent of education's office, EM 2-2129.

No previous teaching experience is necessary. Anyone can teach who can read and who has an interest in people.

In the State of Alabama there are approximately 70,000 adults over the age of 25 who have had no schooling at all and there are more than 350,000 "functional" non-readers.

Volunteer workers already have begun calling on prospective students who want to learn to read or are interested in improving their reading ability.

A few teachers have been secured but many more are needed if the program is to be a success in North Talladega County.

In the classroom the lessons will be shown on the Alabama Education Television Network.

The volunteer teacher will assist the student and make clear information presented with which the individual student might have difficulty.

It is the goal of the council to secure the services of at least four teachers for each center.

If this is possible then no teacher will be asked to give more than one night per week to the program.

14b 1960

AFRICA STUDENT STUDY- WORK CAMP PROJECT

KENNELL JACKSON

# Hampton Student Joins African Work Project

HAMPTON, Va.—Kennell Jackson, jr., a sophomore majoring in social sciences at Hampton Institute, has been selected as one of the 135 students to participate in the second Africa Student Study-Work Camp Project this summer.

The son of Mr. and Mrs. Kennell Jackson, Farmville, Virginia Jackson will join the group which will study and work in Togo, Dahomey. Projects will also be carried out in Senegal, Liberia, Guinea, Ivory Coast Sierra Leone Ghana, Nigeria, and French Cameroons.

Under the direction of Dr. James H. Robinson, Operation-Crossroads Africa, of the Morn-

14b 1960

AMERICAN ASSOCIATION OF COLLEGE BUSINESS OFFICERS

Chicago Defender
Chicago, Ill
14b

American Association Of College Business Officers 14B Sat. 5-21-60
21st Annual Meeting
Southern University May 5-7, 1960 P. 22

Photo By
DEPARTMENT OF PHOTOGRAPHY

PICTURED is the representatives to the 21st Annual American Association of College Business Officers held at Southern University, May 5-7. Newly elected officers were G. Cletus Birchette, Atlanta University, president; I. T. Crestwell, Fisk University, vice - president; Charles E. Prothro, Jr., Tuskegee Institute, secretary; and Charles W. Moore, Morris Brown College, treasurer.

# County Superintendent Alex Higdon Reports On Atlantic City Meeting

Alex Higdon, county superintendent of schools, attended the convention of the American Association of School Administrators and Allied Organizations, held in Atlantic City, New Jersey, recently.

Some of the highlights of a few of the group discussions are as follows:

**Gifted Children**

Gifted children differ markedly from the rest of the population in: rate of learning, abstract ability, depth of perception, range of interest, rang of ability, and imagination and creativity.

**Practical Criteria For Action**

1. Is provision made for different rates of progression through the curriculum?

The gifted actually do not need thirteen years to graduate from high school. Various administrative arrangements make possible a faster progression for the gifted. All of them have proved to be of some positive value.

2. Is the range of abilities in the classroom too great for effective teaching?

The optimum amount of homegenity in a classroom has never been determined and in any group there will still be many individual differencess. But where the range of abilities is too great in a classroom, the gifted are usually the first to be slighted.

3. Does the school program utilize a wide range of interest?

An interest can be a window to an entire world and good teaching utilizes it. For the gifted there are many such windows and this would seem to mean more flexibility, more student participation in the planning of materials and methods.

4. Is enough time given to imaginative and creative endeavors?

Probably the majority of gifted programs fail this test. Too much emphasis is placed on impressing the young mind with facts and knowledge and far too little on helping him use available knowledge in creating something of his own.

5. How much use is made of outside resources?

Sooner or later the gifted will go beyond the available materials and even beyond the knowledge and ability of most teachers.

At the same time there is available in most communities a wealth of resources both human and material that can be used for individuals and classes. For the gifted these are almost necessary supplements to the school program.

**Educating the Emotionally Disturbed**

Educational programs for emotionally disturbed children present a challenge to educators and psychologists. Today we can meet both educational and mental health problems of these children in a unified set of classroom procedures.

1. By restructuring our thinking about emotional disturbance.

2. By viewing the process of teaching, and learning somewhat differently.

3. By regarding child
and development as off
ed guides to solving
and emotional proble

4. Ne wthinking r
disturbance emphasize
structure. If classroom
are based on wholesome, clea
firm limits; and if the educationa
tasks are presented and followe
through with an equally firm
structure, mental health and edu
cational objectives merge into a
unified whole.

5. Child development theory is seen as an indirect but not specific aid to solving daily problems.

All these conside
into practical sup
more wholesome
ture into the cla

**Mentally Ret**

Children with
development may be divided into three or four broad groups for educational purposes. These groups are the slow learners, the educable mentally handicapped, the trainable mentally deficient, and those mentally deficient who require complete custodial care for their entire lives.

The slow learners comprise from 15 to 17 per cent of our school population. They are the children who are regularly at the bottom of the class. Necessary adaptation in the regular classroom environment can be made to meet their educational needs.

On the other extreme, the complete custodial mentally deficient are very few in number and are never brought to the attention of the school.

The trainable mentally deficient and the educable mentally handicapped are the two groups of retarded children whose intelligence is retarded to such an extent that they do not profit sufficiently from the program of the regular school and require a differentiated curriculum for their maximum growth and development.

Most states require that teachers have certification requirements to teach the educable mentally handicapped or make minor adoptations in those requirements.

The occupational training is not thought of as specific vocational training. The positions in which the mentally handicapped will be successful later in life are in the unskilled and semi-skilled activity. Success on the job is going to depend largely on getting to the job on time, his personal appearance, etc.

Teacher training in this area has come in for thought, attention and study. As a result, there is fairly general agreement that a teacher of the mentally handicapped should have:

1. Training in elementary education, because the teacher and the children will be a part of the total school program, the children are more normal than deviate, but learning at the elementary level and many of the methods used in elementary education are useful and applicable.

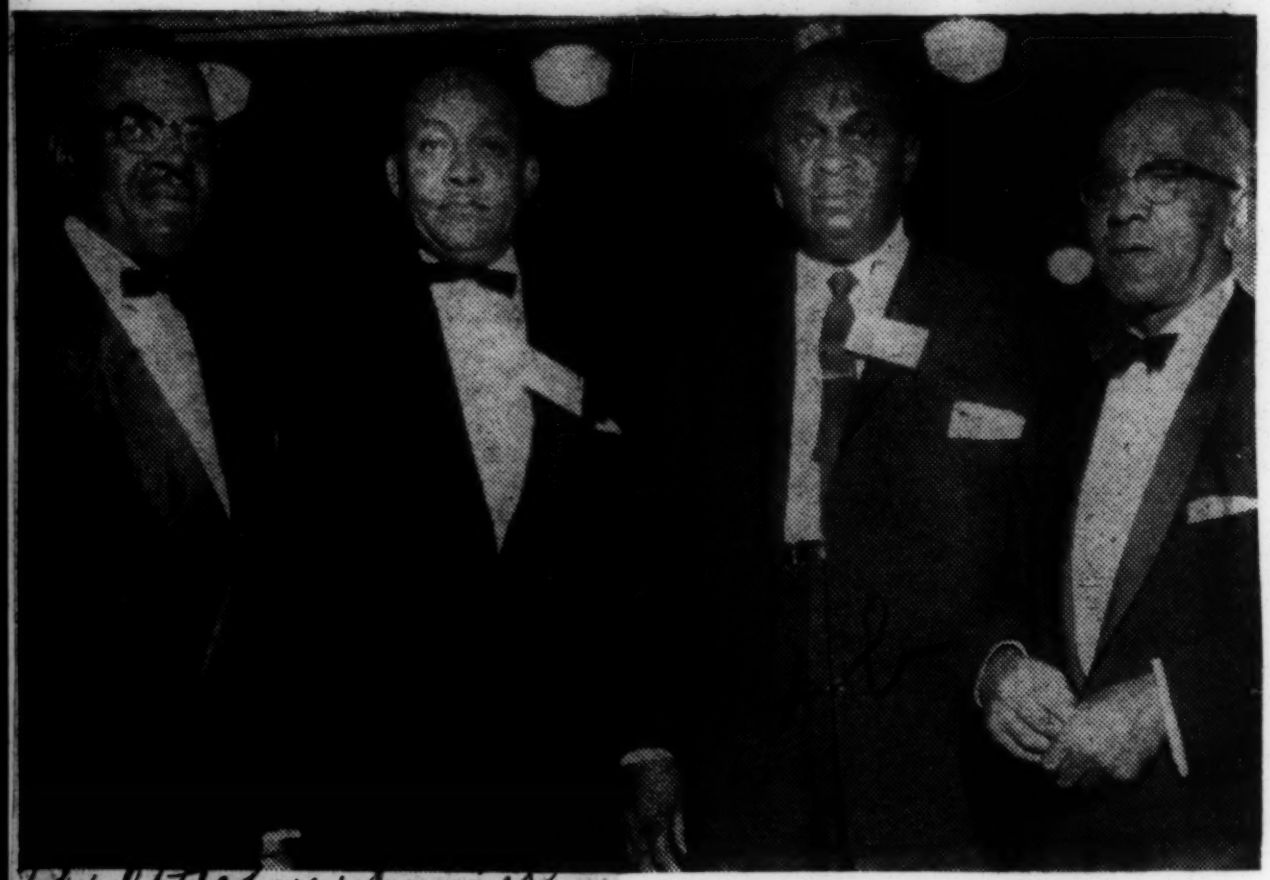
2. An understanding of mentally handicapped children.

3. An understanding of curriculum principles and their application to the mentally handicapped.

4. An understanding of how children learn, and why they behave as they do.

5. An understanding of theory applied to organization of classes and teaching mentally handicapped children.

6. Practicum with mentally retardation.



Louisville Courier-Journal

**OFFICERS**—Newly elected officers of the Association of Colleges and Secondary Schools are shown assembled following the banuet session of their annual conference in Louisville, Ky. From left they are President W. E. Combs, specialist, secondary education, department of education, Tallahassee, Fla.; First Vice President Dr. S. M. Nabrit, president of Texas Southern University, Houston; Second Vice President S. A. Cain, principal, Morristown, Tenn., and Secretary-Treasurer Dr. L. S. Cozart, president of Barber-Scotia College, Concord, N. C. Dr. Kenneth I. Brown, executive director of the Danforth Foundation, St. Louis ,was the banquet speaker.

NEWLY ELECTED officers of the Association of Colleges and S econdary Schools are shown, top row, as they assembled following the banquet session of their 26th annual conference in Louisville, Kentuck y, recently. From left they are president, W. E. Combs, specialist, secondary edtucation, Department of Education Tallahassee, Florida; first vice president, Dr. S. M. Nabrit, president, Texas Southern University, Houston; second vice president, S. A. Cain, principal, Morristown, Ten nessee, and secretary-treasurer, Dr. L. S. Cozart, president, Barber-Scotia College, Concord, North Carolina. In bottom panel is Dr. Kenneth I. Brown, standing, executive director, Danforth Foundation, St. Louis, as he addressed the banquet session. Seated from left are Mr Combs; retiring president, Dr. James A. Colston, president, Knoxville College. Tennessee: Dr. Benjamin E. Mays, president, Morehouse College, Atlanta, who introduced the speaker, and Dr. Cozart.

## 14 2 Inducted As Officers Of College Deans And Registrars

**Among the new officers elected and installed at the Greensboro, N. C. convention of the National Association of College Deans and Registrars at A. and T. College were (left to right, seated) Joseph D. McGhee, Orangeburg, S. C., first vice-president; Dr. Foster P. Payne, Raleigh, N. C., president, and Dr. J. J. Hanberry, Columbia, S. C., second vice-president.**

**Standing are T. E. McKinney, Charlotte, N. C., and Paul Edwards, Morristown, Tenn., both executive committee members; Mrs. Helen M. Mayes, Albany, Ga., assistant secretary; Edwin M. Thorpe, Tallahassee, Fla., secretary; and W. C. Norris, San Antonio, Texas; and Dr. T. P. Dooley, Prairie View, Texas, both executive committee members.**

### Founder Gets Honorary Degree

# Dignity Of Man Stressed By Deans And Registrars

GREENSBORO, N. C. — The founder of the National Association of Collegiate Deans and Registrars was honored at the 34th annual convention of the organization held here at A. and T. College.

T. E. McKinney, dean of Johnson C. Smith University in Charlottte, who as dean at A. and T. College in 1926 founded the organization, was presented the doctor of laws degree by A. and T.

**CITED FOR** "his outstanding contributions to improvements in higher education," Mr. McKinney was awarded the degree at the final session.

The convocation speaker, Dr. Howard Jordan Jr., dean at South Carolina State College in Orangeburg, told the assemblage that "it may well be that brain power, rather than firepower, will save our civilization."

Conducted along the theme, "Qualitative Improvement in Higher Education: A Challenge," the three-day meet drew representatives from more than 100 colleges and universities from southwest Texas to Pennsylvania.

**DR. C. W.** Norris, dean of St. Philip's College, San Antonio, Texas, and president of the organization, described new emphasis on the dignity of man and the struggle between the United States and Russia as factors which point up the need for quality education.

Dr. Richard Bardolph, professor of history at Woman's College, Greensboro, and author of the best seller, "Negro Vanguard," listed three aspects important to raising academic standards as recruiting better teachers, lifting general standards in the program and higher motivation among students.

**DR. W. T.** Cartwright, dean of the school of education at Duke University in Durham, N. C., said, "Newer approaches in instruction at the college level are all right, but college professors can do effective jobs along old traditional lines."

The Rt. Rev. Bertram W. Doyle of Nashville, Tenn., Christian Methodist Church, bishop, one of the charter members of the organization, was given a scroll of appreciation after delivering the main annual banquet address.

**TWO PANEL** discussions featured presentations by Dr. Albert N. Whiting, dean of Morgan State College, Baltimore; Dr. Cartwright and Dr. W. H. Martin, acting president of Hampton Institute Paul Butler, dean of Roosevelt Junior College, West Palm Beach, Fla.; J. B. Calhound, dean of Daniel Payne College, Birmingham, Ala., Dr. Sherman Webster dean of Voorhees Junior College, Denmark, S. C., and Bernard Brown, coordinatior of Carver College, Charlotte, N. C.

**THE FOLLOWING** officers were elected and installed: Dr. Foster Payne, Raleigh, N. C., president; Joseph D. McGhee, Orangeburg, S. C., first vice president; J. J. Hanberry, Columbia, S. C., second vice president; Edwin M. Thorpe, Tallahassee, Fla., secretary; Mrs. Helen M. Mayes, Albany, Ga., assistant secretary; and J. J. Hedgemon, Baton Rouge, La., treasurer.

The group voted to hold its next annual convention in Prairie View, Texas.

DR. CHARLES A. RAY
Retains Presidency

# Language Body Names Morgan For 21st Meet

Journal and Guide
p. 20
Norfolk, Va.
4-23-60
Sat.

DURHAM, N. C. — Morgan State College was selected as the site of the 21st annual meeting of the College Language Association at the end of a three-day session at North Carolina College here last week.

CLA's president and vice president, Dr. Charles A. Ray and Dr. Albert H. Berrian were re-elected. They are professors of English and French, respectively at NCC.

**OTHERS NAMED** to office were, J. F. Matheus, Texas Southern, treasurer; Dr. Darwin T. Turner, A. and T. secretary; Mrs. Bessie Dickerson, Grambling College, assistant treasurer; and Mrs. Arthenia J. Bates, Southern, assistant secretary.

Featured speakers during the sessions included Dr. Joseph Mersand of New York, former president of the National Council of Teachers of English; Dr. Raleigh Morgan, Washington, associate director of the Center for Applied Linguistics and Dr. Linel Stevenson, James B. Duke professor of English at Duke University.

14b 1960

COMMISSION ON HIGHER EDUCATION

# Commissioner To Discuss Brainwashing

The Black Dispatch

IRA D. HALL SR.

Oklahoma City, Okla.

Ira D. Hall sr., a member of the Commission on Higher Education for the State of Oklahoma, will be guest speaker at the 11 o'clock hour in Claremore, Okla., Sunday, July 3, at the Mt. Zion Baptist church for the Rev. H. C. Potter's anniversary.

Hall at one time was called "Mr. P-TA" in Oklahoma, but since integration has come to Oklahoma in a few ways now he has a new title, "Mr. Integration."

"Because most discussions now-a-days is integration regardless to the announced subject, there is another topic far more important to our people if we are to take our places as citizens in this complex society. This new concept is 'understanding how well we ahve been brainwashed with destructive thinking and behavior," he says.

Hall has had a wide range of organizational and professional experiences in Oklahoma as the development of human relations slowly molds into a finer state for everyone to live. Hall firmly believes the future of mankind largely depends upon the quality of leadership (both white and black) because "the people are ready whenever their leaders are ready."

CONFERENCE ON PRE-MEDICAL EDUCATION IN NEGRO UNDER-GRADUATE INSTITUTIONS

Chicago Defender
Chicago, Ill.
Sat. 7-9-60
p. 21

FACULTY REPRESENTATIVES of 20 colleges met at Dillard university, New Orleans, last week for a five-day conference on pre-medical education in Negro undergraduate institutions. Among the consultants were (front row, l. to r.) Dr. Robert S. Jason, dean of the College of Medicine, Howard university; Dr. Vernon E. Wilson, dean of the School of Medicine, University of Missouri; Dr. Harold D. West, president of Meharry Medical College; Dr. Albert W. Dent, president of Dillard; Dr. Franklin C. McLean, secretary-treasurer of National Medical Fellowships, and Dr. Edward E. Riley of Dillard, conference director. Dr. Aura E. Severinghaus (not shown), associate dean of the College of Physicians and Surgeons, Columbia university, delivered the opening address.

14b 1960

GEORGIA EDUCATION ASSOCIATION

# GEA Backs NEA on Race Issue

Atlanta Constitution
Atlanta, Ga.
7/1/60

Special to The Constitution

LOS ANGELES, Calif.—The 139-member delegation of the Georgia Education Assn., attending the annual convention of the National Education Assn. in Los Angeles, Calif., has moved to support the NEA resolution committee's stand on segregation.

The NEA's stand states, "That all problems concerning the question of segregated public education be left to the state and local level," thus recognizing states' rights in this matter.

However, the executive-secretary of the Negro Georgia Teachers and Education Assn., L. H. Pitts, has called for a stronger integration stand at an open hearing of the resolutions committee.

E. C. Mitcham, president of the GEA, stated he had been informed by directors of the Negro group that Pitt's stand was his own and not of the GTEA.

Spokesmen for the GEA (white) said the organization said that while the present resolution on integration was not desirable, Georgians have been able to live with it the past five years.

14b 1960

INDUSTRIAL EDUCATION CONFERENCE

# 800 At Texas Educational Conference

PRAIRIE VIEW, Texas—Exhibits of student projects representing high schools across the state highlighted the 26th annual Industrial Education Conference held at Prairie View A&M college. More than 800 high school students and teachers attended.

The annual Industrial Education contest consists of 16 divisions, 32 classifications and 78 groups, with over a thousand projects included.

Projects cover the areas of auto mechanics, cooking and mechanical drawings and models, dress making, dry cleaning, electricity, electronics, foundry, leatherwork, machine shop, plastics, tailoring, upholstery, woodwork, wrought iron and open classifications.

Keynote speaker was Frank J. Konecny, vice president of the American Vocation Association and executive assistant Texas Engineering Service, College Station, Texas.

Protest Hotel Bias, Association Hypocrisy

# Atlanta U. Unit Quits Math Ass'n Meet

ATLANTA—Two Atlanta University professors and a mathematics graduate student left the spring meeting of the Southeastern section of the Mathematical Association of America on April 1 in protest of the failure of the management of the Wade Hampton Hotel to honor their room reservations (which were confirmed on March 26), and their exclusion from participating in the Friday evening banquet of the association.

The occasion was the annual meeting of the Southeastern section of the MAA, April 1-2, with the University of South Carolina as host at the Wade Hampton Hotel in Columbia, S. C.

Prof. Lonnie Cross, chairman of the department of mathematics at Atlanta University; Prof. S. C. Saxena of New Delhi, India, and William E. Brodie presented their reservations to the room clerk upon their arrival at the hotel early Friday afternoon.

■

**THEY WERE** first told that the rooms which had been reserved for them would be ready later on that afternoon, but 30 minutes later they were told by an assistant manager that the hotel could not honor their reservations. The assistant manager further stated that this was made clear to Prof. W. L. Williams, head, department of mathematics, University of South Carolina, when he made arrangements for the meeting at the hotel.

Professor Cross pointed out that he and his associates from Atlanta University came to the meeting under the impression that the enunciated policy of the national body would prevail — that there "will be no discrimination as to race, color, religion, or nationality, and that when accommodations and other facilities are provided these shall be provided to all attending the meeting."

The assistant manager then stated, "You can attend all the sessions of the meeting of the association at this hotel, but we cannot honor your reservations. We can try to get accommodations for you at the Nylon (colored) Hotel."

Professor Cross said, "Such arrangements are unsatisfactory to us."

■

Professors Cross and Saxena and Mr. Brodie then conferred with Professors Williams and C. L. Seebeck Jr., secretary-treasurer of the Southeastern section of the MAA. Both said, in essence, what the assistant manager had said.

Professor Seebuck added, "We regret that South Carolina's law prevents your full participation in our meeting. We want you to attend and participate to the extent you can. About 90 per cent of the membership feels as you do and is with you, but times are such that they cannot openly say so."

Professor Cross, who was scheduled to present a paper at 3:24 P. M., during the first general session of the meeting, said, "In view of the fact that the Southeastern section of the association is operating contrary to enunciated national policy and, in particular, in view of the management's refusal to honor our reservations, we cannot remain at this meeting. We would be less than human beings to do so.

■

"We are leaving in protest, and we are asking you, Professor Seebeck, as secretary of the association, to explain to those at this meeting our reasons for leaving and the necessity of our having to do so."

Professor Cross concluded, "As a member of the association I shall continue to do all I can to make the policy of the national body a reality in the Southeastern section."

## Atlanta profs., student leave session in protest

The Afro-American p. 19

ATLANTA — Two Atlanta University professors and a mathematics graduate student left the spring meeting of the Southeastern Section of the Mathematical Association of America in Columbia, S.C., April 1 in protest.

They protested the failure of the management of Wade Hampton Hotel to honor their room reservations (which were confirmed on March 26) and their exclusion from participating in the Friday evening banquet of the association.

The University of South Carolina was host to the annual meeting at the hotel.

**LONNIE CROSS,** chairman of the Department of Mathematics at Atlanta University, S.C. Saxena of New Delhi, India, and William E. Brodie presented their reservations to the room clerk upon their arrival at the hotel.

They were first told that the rooms which had been reserved for them would be ready later on that afternoon, but about 30 minutes later they were told by an assistant manager that the hotel could not honor their reservations.

**PROFESSOR CROSS** pointed out that he and his associates came to the meeting under the impression that the enunciated policy of the national body would prevail— that there "will be no discrimination."

"In view of the fact that the Southeastern Section of the Association is operating contrary to enunciated national policy. . . we cannot remain at this meeting, said Mr. Cross, adding: "We would be less than human beings to do so.

## 3 Protest Bias, Quit Math Parley

The Atlanta Constitution p. 4

Atlanta Ga.

Constitution State News Service

Two professors and a graduate student at Atlanta University left a meeting of the Mathematical Association of America at Columbia, S.C., in protest of what they labeled racial discrimination.

The three charged Monday that the Southeastern sectional meeting was operated contrary to the MAA'S enunciated national policy of anti-discrimination. In view of this and refusal of the all-white Wade Hampton Hotel to honor their reservations, they reported, they refused last Friday to remain at the meeting.

"We would have been less than human beings" not to have left in protest, they declared.

The three are Prof. Lonnie Cross, mathematics chairman at Atlanta University; Prof. S. C. Saxena, from New Delhi, India, and William E. Brodie.

They said in a prepared statement that they went to the MAA meeting under the impression that there would be no discrimination because of race or color and that facilities would be provided to all alike.

They added that the Wade Hampton Hotel management offered to try to get them accommodations at a Negro hotel but that Cross responded, "Such arrangements are unsatisfactory to us."

Cross related that he was to have delivered a paper at the meeting and that he asked Prof. C. L. Seeback Jr., southeastern MAA secretary-treasurer, to explain why he was unable to do so. Seeback was quoted as expressing regret that South Carolina law prevented full participation of the Atlanta University delegates at the meeting.

## Bias Charge Assailed by Math Expert

The Atlanta Constitution

Atlanta Ga.

The chairman of the Southeastern section of the Mathematical Association of America said here Tuesday there was no real reason for two Negroes and an Indian to leave the group's meeting in Columbia, S.C., charging discrimination.

Dr. Henry A. Robinson, professor of mathematics at Agnes Scott College, said all delegates were informed that the association had no control over accomodation offered by hotels.

Two professors—one from New Delhi, India—and a graduate student at Atlanta University left the convention, charging that a Columbia hotel failed to honor their room reservations and that they were excluded from taking part in the Friday night banquet of the association.

Dr. Robinson said between eight and 10 Negro math teachers attended the meeting.

14b 1960

NATIONAL ASSOCIATION OF COLLEGIATE DEANS AND REGISTRARS

# College Deans And Registrars To Hold 34th Session At A&T College From March 15-17

Nashville Banner
Nashville, Tenn. 4-5-60

GREENSBORO, N. C.—A record attendance is expected for the 34th annual convention of the National Association of Collegiate Deans and Registrars to be held here at A&T College, March 15-17.

More than 100 colleges and universities from Texas to Pennsylvania are expected at the three-day meeting of the organization, returning to the site of its founding at A&T College back in 1927.

C. R. A. Cunningham, A&T College registrar and chairman of the committee on local arrangements, told reporters this week that advance registrations are far ahead of those for previous years.

Dr. C. W. Norris, dean, St. Phillips College, San Antonio, Texas, and president of the organization, will deliver the main address at the opening session set for Tuesday, March 15, at 2:00 p.m. Other main speakers included: Dr. Richard Bardolph, professor of history at Woman's College, Greensboro, and chairman, Region Five of the Woodrow Wilson Foundation, also on Tuesday and The Right Reverend Bertram W. Doyle, Nashville, Tenn., presiding Bishop of the Eighth Episcopal District of the Christian Methodist Church, who will deliver the main address at the annual banquet on Wednesday evening.

Dr. Howard Jordan, Jr., dean of faculty at South Carolina State College, Orangeburg, will speak at the convocation set for Thursday morning at 10:00 o'clock. That program, set for the Harrison Auditorium will be preached by a military review by the A&T ROTC cadet corps. All other sessions will be held in the Bluford Library.

In addition to Dr. Norris, other officers of the Association are: Dr. Foster Payne, Shaw University, Raleigh, first vice president; Joseph D. McGhee, South Carolina State College, Orangeburg, S. C., second vice president; Edwin Thrope, Florida A&M University, Tallahassee, Fla., secretary; Mrs. Helen Mayes, Albany State College, Albany, Ga., assistant secretary and J. J. Hedgeman, Southern University, Baton Rouge, La., treasurer.

14b

# Jeanes Supervisors Meet At Hampton

**Region 2 of the National Association of Jeanes Supervisors held sessions at Hampton Institute recently. Supervisors from all over the region, which encompasses states from Virginia to Louisiana, were in attendance.**

**Left to right on the front row, are officials of the association. They are: Mrs. Nan I. Davis, executive board member, South Carolina; Mrs. Lelia Lind- ... South Carolina, Region 2 secretary; Mrs. Velma Adams, Louisiana. NAJS president; Mrs. Mildred Williams, Virginia, program chairman; Mrs. L. Cheatham Taylor, Virginia, president NAJS Region 2; Dr. Margaret T. Haley, Virginia State Department of Education; Mrs. Annie Rivers, Virginia supervisor; Dr. Kara V. Jackson, Louisiana, NAJS executive secretary, and Mrs. Mary B. Smith, North Carolina.**

# Jeanes Supervisors Hold Conference In Hampton

Journal and Guide

Norfolk, Va.

HAMPTON, Va. — Region II conference of National Association of Jeanes Supervisors was held at Clarke Hall on Hampton Institute campus March 23-25. The conference theme was "Quality Instruction Through Creativity, Problem Solving and Critical Thinking."

14b

Sat-4-2-60.

P.4

Registration and an executive board meeting were held on Wednesday, March 23.

**THE CONFERENCE** proper began on Thursday March 24 with a general session. Key note speaker for the session was Dr. Vester M. Mulholland, director of research and statistics for the North Carolina State Department of Public Instruction, Raleigh, N. C.

Mrs. L. Cheatham Taylor, president of Region II, presided over the general session. Meditation was conducted by the Rev. Vernon P. Bodein, chaplain of Hampton Institue. Music was provided by the Y. H. Thomas junior high school under the direction of William Crump.

**DR. MULHOLLAND** was introduced by G. H. Ferguson, director of elementary education for the North Carolina State Department of Public Instruction. Dr. William H. Martin, acting president of Hampton Institue welcomed the delegates to the campus and brought greetings from the faculty and student body.

Dr. Mulholland spoke from the subject "Quality Education Through Creativity, Problem Solving and Critical Thinking."

**SOME OF HIS** key words were as follows: "Creativity is a liberating force. It encourages open, positive attitudes; it fosters critical thinking; it does much to engender respect, tolerance, and appreciation; it resluts in repects for all honoest effort; and it emphasizes the necessity for eternally searchhing for the true, the beautiful, and the better way: Creativity fosters curiosity, the questioning mind and the courage to try the new. It induces spontaneity, self - confidence, and self respect."

The positive nature of the creative approach suggests that it is the enemy of caution and the antithesis of doubt. Creativity in many ways is synonymous with action and activity, mental or otherwise; and as such brings exhilaration to all who earnestly seek to adopt it as a way of thinking and working. Through the creative approach teachers and pupils are literally re-created. We become new creatures in our acceptance of self, our acceptance of others, and in our wholehearted efforts to be and to do the best of which our total personality is capable."

**THE CONFERENCE** banquet was held on Thursday at 6:30 p.m. Banquet speakers was Dr. Kara V. Jackson, executive secretary of the National Association of Jeanes supervisors, Grambling College, Grambling, La. He was introduced by Dr. A. G. Richardson, associate supervisor of elementary and secondary education for the Virginia State Department of Public Instruction. Toastmaster was Dr. J. Rupert Picott,, executive secretary for the Virginia Teachers Association, Richmond, Va.

**GREETINGS** were brought by Miss Sadie Lawson, president of the Virginia Teachers Association, Roanoke, Va., and Dr. J. C. Dixon, vice president and executive director of the Southern Education ... Atlanta, Ga. Music was pr... vided by Mrs. Viola Peeden, supervisor of Southampton county schools.

A memorial service highlighted Friday's program. The Mrs. Septivia Crutchfield, chairman of the Necrology Committee, Williamsburg, Va. A meditation period was conducted by the Rev. J. Det... Marshburn, pastor of Zion Baptist church, Phoebus.

**AT THE CONCLUDING** business session, Dr. Robert F. Cousins of the Southern Education Foundation, Atlanta,, Ga., evaluated the conference.

Consultants and resource persons for the group discussions held on Thursday were Dr. Martha E. Dawson, Mrs. Evelyn B. Haynes, Mrs. Addie O. Williams, Dr. Marion Capps, Mrs. Lela H. Lindsay, Mrs. Ruth L. Woodson, Mrs. Vergial S. Webb, Dr. William H. Robinson, Mrs. Dorothy P. Goodson, Mrs. Lucy S. Herring and Thomas A. Randolph.

**GROUP** chairmen were Mrs. Dorothy N. Cowling, Miss Nan I. Davis, and Mrs. Mae Rudd Williams. Recorders were Mrs. Annie M. Rivers, Mrs. Susan B. Wilson, and Mrs. Estelle Sampson.

Region officers are Mrs. L. Cheatham - Taylor, president; Mrs. Mae Rudd Williams, first vice president; Mrs. Nan I. Davis, second vice president; Mrs. Hauzie Walker, secretary - treasurer; Miss Maude Freeman, acting treasurer; Mrs. Lela H. Lindsay, assistant secretary; and Dr. A. G. Richardson, counselor.

Committee chairmen were Mrs. Mildred B. Williams and Mrs. H. Celestine Johnson, program, Mrs. Doris P. Thompson, registration; Mrs. Marguerite F. Christian, hospility; Mrs. Mary Johnson, banquet; Mrs. Gertrude P. West, souvenors; Mrs. Edna White, decorations; Mrs. Alberta G. Despot, publicity; and Mrs. Septivia Crutchfield necrology.

DR. VESTER MULHOLLAND
Keynote Speaker

# Student Loyalty Oath Decried by Educators

CHICAGO, Mar. 10 (AP).—The National Conference on Higher Education yesterday called for elimination of both the loyalty oath and the disclaimer affidavit in the student loan section of the National Defense Education Act.

The conference thus went a step further than it did last year when, after much debate, it limited its objections to the affidavit alone.

When a student applies for a loan under the act, he must sign a loyalty oath and an affidavit that he does not believe in any organization which advocates violent overthrow of the United States Government. A number of colleges and universities, including Yale and Harvard, have stayed out or withdrawn from the program in protest.

**Objection on Principle**

Most of the protest centers on the affidavit on the basis that yo ucannot pass laws about what people shall believe. Those who object to the loyalty oath do so generally on principle. They say it makes college students a particular center of suspicion, since the oath isn't required of farmers getting crop loans or veterans getting home loans.

Many college officials call both the oath and the affidavit offensive and ineffectual.

Yesterday's action came during the final session of the three-day conference, sponsored by the Association for Higher Education, a department of the National Education Association. About 1,300 college and university presidents, deans, faculty members and graduate students attended the conference.

Another resolution adopted also conceerned the student loan program. Under present law, up to 50 per cent of a loan may be forgiven if the borrower later teaches in a public elementary or secondary school. The conference recommended that this forgiveness provision be extended to anyone who later teaches in any institution of higher learning.

**On Race Issue**

The conference took note of the current segregation controversy in the South with the following resolution:

"We condemn political interference in the operation of schools and colleges and urge regional and national accrediting agencies to investigate and take appropriate action when such interference occurs."

This is a modified version of a resolution submitted by the United States National Students Association, which dealt specifically with the situation at Alabama State College. The students association said nine Negro students were expelled there on direct orders of the governor of Alabama, for participating in a sit-in strike.

Members of the resolutions committee declined to accept the wording of the students association, saying they (the committee members) just didn't know enough about it right now.

14b 1960

NATIONAL EDUCATION ASSOCIATION

# 25 Virginians at NEA sessions in Los Angeles

Afro America
Baltimore, Md.

RICHMOND

More than 25 Virginians — members of the Virginia Teachers Association — are sharing this week in the annual convention of the National Education Association in Los Angeles.

Approximately 15,000 teachers throughout the nation and the world are expected to attend the convention. 6-30

The theme of the meeting which had been preceded by group meetings for five days prior to the official June 26 - July 1 dates, is "A United Profession Enhances Quality in Education."

Feb. 7-9 '68

**VIRGINIANS WHO** are sharing in the meeting include Dr. J. Rupert Picott, executive secretary, Virginia Teachers Association, Richmond, who is the delegation leader.

Others are: Miss Sadie V. Lawson, president, Virginia Teachers Association, Roanoke; Mrs. Vivian H. Smith, Accomac; Mrs. Alberta G. Despot, Louisa; Mrs. Lillian W. McDaniel. Richmond; Mrs Ethel L. Wiley, Gladstone;

Mrs. Carolyn P. Jones, Wytheville; Mrs. Pauline B. Craddock, Providence Forge; Mrs. Antoinette B. Boone, Ettrick; Mrs. Carrie M. Carter, Onancock; Mrs. Hazel F. Weaver, Remington;

* * *

**MRS. IRENE J. MARTIN,** Newport News; Mrs. Claudia B. Caldwell, Martinsville; Miss Elouise M. Williams, Mrs. Dorothy L. Wright, Mrs. Julia M. Thorton, Mr. and Mrs. Curtis A. Crocker, all of Richmond;

Fitz Turner, Suffolk; William E. Cunningham, Palmyra; Dr. Robert P. Daniel, Petersburg; Mrs. Hortense Ccoke, Purcellville; U. B. Broadneaux, Lexington; Mrs. Altia H. Picott, Richmond.

Dr. Picott is the former vice president of the National Education Association and Miss Lawson has served as speaker at several of the past conventions.

# Editorials

## N.E.A. Foot-Dragging

On the eve of the Los Angeles convention this month of the National Education Association, we warn this organization of 704,255 members that the time has come to stop foot-dragging on desegregation.

The N. E. A. spends nearly $2 million yearly on research, press, radio and its various publications such as **N. E. A. Journal** and **N. E. A. News**, and in its official catalog lists 1,000 publications; and yet in the past six years since the U. S. Supreme Court's historic decision desegregating schools, not a word has gone out from the N. E. A. about it!

Six annual conventions have been held since the court's decision, but desegregation has been no convention theme, and not a single guest speaker nor a single one of the multiplicity of panel discussions has dealt with the objectives, problems, or procedures in achieving school desegregation.

Each year since 1954, the association has adopted a face-saving resolution recognizing public school desegregation as a national concern, urged fairplay, goodwill, respect for law, etc., etc., and stressed that "all problems of integration in our schools are capable of solution on the state and local levels," meaning, of course, state's rights.

The association has gone no farther than that, and has shown no inclination or intention to go farther, if one reads or hears any of the voluminous propaganda it puts out at an expenditure of $2 million of the school teachers' dues.

We think this forthcoming N. E. A. convention should get on the ball, quit stalling, and unequivocally affirm its belief in desegregation as a desirable public school policy and practice; start preparing materials and programs to speed the racial integration of classes and teaching staffs, North and South, and acept the membership of the 30,000 Negro N. E. A. members now fenced into 13 segregated jim crow state associations.

This is the sort of action we expect for an organization boasting of being the voice of the nation's teachers, their political arm, and the champion of public education.

The time has passed when organizations of this kind can escape their responsibilities in situations of import to the nation by hiding behind a screen of weasel words.

They should face up to their patriotic duty, quit stalling, or disband.

## N. E. A. DEFENDED ON RACIAL POLICY

### Top Officials Call Separate Groups in Southern States a 'Necessity of Law'

By LEONARD BUDER
Special to The New York Times.

LOS ANGELES, June 26—Top officials of the National Education Association defended today the organization's policy of having separate chapters for white and Negro teachers in eleven Southern states.

Dr. W. W. Eshelman, president of the 713,000-member association that opened today its annual convention here, said that the separate state groups were a "necessity of law" in some areas.

However, Dr. William G. Carr, the organization's executive secretary, declared that, despite this, the N. E. A. was an integrated association, with every member accorded equal rights.

A new move to get the association to take a stronger stand in favor of integration, both in the public schools and within the organization, is expected to be made here this week.

**Earlier Efforts Recalled**

At the association's last two annual meetings, when similar moves were defeated, the delegates called upon all citizens to "approach this matter of integration with the spirit of fair play, goodwill and respect for law."

Shortly before the convention opened here, Edward A. Irwin of Los Angeles, national vice president of the rival American Federation of Teachers, challenged the N. E. A. to match his organization's stand on integration.

The federation is affiliated with the merged labor movement. A few years ago it revoked the charters of its segregated locals in the South.

At a news conference at the Biltmore Hotel here, Dr. Eshelman and Dr. Carr emphatically denied that the association practiced discrimination. Dr. Carr asserted that if the association insisted on integrated state groups in some sections it would mean that all teachers there, both white and Negro, would be unable to belong to the N.E.A. and would lose membership benefits.

The N.E.A. recognizes separate state associations for whites and Negroes in Virginia, North Carolina, South Carolina, Georgia, Florida, Louisiana, Arkansas, Mississippi, Alabama, Tennessee and Texas.

In other developments today, the N.E.A.'s board of directors urged Congress to pass before adjournment a Federal school support bill that would give the states the right to decide how they would apportion funds between teachers' salaries and school construction.

At the convention's opening session at Shrine Auditorium, the Rev. R. J. McCracken of the Riverside Church in New York, declared that Americans were growing soft physically, morally and spiritually.

More than 15,000 persons are expected to attend the annual meeting, which will end Friday.

## N.E.A. CONSIDERS NO-STRIKE STAND

### Resolution Bars Walkouts of Teachers but Favors Bargaining on Pay

By LEONARD BUDER.
Special to The New York Times.

LOS ANGELES, June 27—The resolutions committee of the National Education Association, the country's largest school organization, said today that public school teachers should not strike.

The committee, however, approved the idea of "representative negotiation" by teachers. The 714,000-member association is holding its ninety-eighth annual convention this week.

If the delegates approve the committee's resolution, it will be the first time that the association has taken a stand on this controversial matter. The committee can still change the proposed measure before it is put to a vote Friday.

A member of the committee, who did not want to be identified, said that the measure was influenced, if not "triggered," by the recent strike threat of some teachers in New York City.

There, the United Federation of Teachers threatened a strike for last May 17 unless the school board met various demands. The scheduled stoppage, which was the second threatened since 1959, was called off when school officials agreed to put the question of collective bargaining up to the city's teachers.

The United Federation is the New York City local of the American Federation of Teachers, the N. E. A.'s chief organizational rival. The A. F. T., which has between 55,000 and 60,000 members, is affiliated with the American Federation of Labor and Congress of Industrial Organizations.

The committee's resolution avoided the use of such terms as "strike" and "collective bargaining," which are identified with the trade union movement.

The measure declared that:

"Representative negotiation by teachers with their governing boards concerning conditions of employment is compatible with the ethics and dignity of the teaching profession."

"Such negotiations," it continued, "should be conducted by teachers' associations whose primary purposes are to promote the cause of education in the United States and to elevate the character and advance the interests of the profession of teaching without special commitment to any particular segment of the community. The procedures of negotiation should be consistent with the teachers' obligation to maintain the uninterrupted operation of the public schools."

A committe member, whose views generally represent the sentiment of his group, asserted that the resolution was "a polite way of saying that a professional organization can be just as hard-headed and hard-nosed as any union."

More than 15,000 delegates and others are expected to attend the convention. The sessions are being held at Shrine Auditorium, the Sports Arena, and at hotels.

14b 1960 NATIONAL STUDENT Christian FEDERATION

# Students Buck Bias To Attend Christian Meet

Chicago Defender Sat. 1-9-60

Chicago (AP)

ATHENS, Ohio — (UPI) — More than 3,500 college students from 100 nations met here Monday for what was billed as the largest student conference in the history of the free world.

The students came from every continent except Antartica for the first quadrennial conference of the National Student Christian Federation.

The students, representing more than 50 ideological Christian groups, are to discuss four world problems during their eight-day sessions at Ohio university.

Some students from the South reported racial tensions arising from their preparations for the meeting.

Conference officials said a group from a Texas university is under threat of suspension for meeting interracially to prepare for the conference.

A spokesman said the students decided to meet with Negro students who were to attend the conference. But their university, which was not identified, refused to permit it.

The students said they were threatened with suspension for deciding to meet in a mixed group off campus.

The spokesman said other students from Atlanta and Nashville, Tenn. reported similar incidents.

Speakers scheduled to address the group include Bishop Lesslie Newbigin of the church of South India and the Rev. Martin Luther King, who led the bus boycott in Montgomery, Ala.

The conference is sponsored by the commission on world missions of the NSCF.

14b 1960

NIRTH CAROLINA STUDENTS TRADE AND INDUSTRIAL ORGANIZATION

The Pittsburgh Courier Sat 11-26-60

**STATE OFFICERS**—These young folks will lead the North Carolina Students Trade and Industrial Organization, elected at the fall meeting at A and T. College; they are, left to right, seated: Carolyn Westbrook, vice president, and Randolph Staton, president, both of Charlotte, and Ella Dunson, Warrenton, secretary. Standing: Tamara Nisbet, treasurer, and Diane Ramsey, assistant secretary, both of Warrenton, and Robert Whitlock, Mt. Airy, sergeant-at-arms.

14b 1960

PUBLIC RELATIONS INSTITUTE

**PUBLIC RELATIONS INSTITUTE — CHARLOTTE —** Dr. G. M. Sawyer (left) Director of Public Relations at Tenn. A&I University, was a speaker at the Third Annual Public Relations Institute held at Johnson C. Smith University recently. Shown with Dr. Sawyer on the front row are: H. H. Martin of the S. C. Area Trade School, and Zack Weston, Director of Public Relations, Benedict College, Columbia, S. C. In the rear are (left to right): T. J. Crawford of S. C. State College and Purdie Anders of St. Augustine's College.

# DuBois Warns Of Race Loss

CHARLOTTE — Dr. W. E. B. DuBois, 92-year-old elder statesman of Negro America, cautioned Negroes against losing their racial identities at the joint 25th annual meeting of the Association of Social Science Teachers and the 15th National Convention of the Sigma Rho Sigma Social Science Honor Society at Johnson C. Smith university.

In his keynote address "Whither Now and Why," Dr. DuBois said that the process of getting rid of racial problems in America cannot be done by getting rid of the Negro race.

He said "What I have been fighting for and am still fighting for is the possibility of black folk and cultural patterns existing in America without discrimination and on terms of equality."

# Fight Brewing Over Accrediting Schools By Southern Association

The News + Courier Charleston, S.C.
Thurs, 12-1-60

MEMPHIS (AP) — A fight with possible racial overtones appeared to be brewing Wednesday at the 65th annual meeting of the Southern Association of Colleges and Secondary Schools.

Louisiana delegates were reported strongly opposed to a constitutional revision that would permit the association to accredit entire school systems instead of individual schools.

P. 5-B

Several members of the association, which sets scholastic standards for colleges and schools in 11 Southern states, have pointed out that many Southern schools systems seek accreditation for white schools only.

Released Wednesday was a list of elementary schools accredited, believed to be the first time such schools have been graded by a regional education association. It included:

South Carolina:

Individual schools — North Hartsville Elementary School, Hartsville; Thornwell Elementary School, Hartsville; St. John's Elementary School, Darlington.

14b 1960



# Stanford Committee Attacks Civil Disobedience Drives

Birmingham Post-Herald
Birmingham, Ala.
June 19 1960

ATLANTA, June 19 (AP)—A unit of the Southern Assn. of Colleges and Secondary schools expressed concern yesterday over what it called "campaigns of civil disobedience which have been fomented on a number of the campuses of member institutions."

The association's executive council of the commission on colleges and universities said it "does not condone civil disobedience and states its firm conviction that remedies for infractions of law are well established in due processes of the courts of the land."

The prepared statement apparently was aimed at the Negro campaign for social equality through student lunch counter sit-in demonstrations and similar activities.

The council said it is "further concerned that equally well established processes for the guarantee of academic freedom may be endangered in public reaction to incidents of civil disobedience."

Henry King Stanford of Birmingham, commission chairman, said the council will appoint a committee "to summarize the pressures against the academic process and against academic freedom as they appear to be manifest in the present time."

Stanford, now president of Birmingham-Southern College, said the executive council "had no one institution in mind" in preparing the statement.

He declined to elaborate on the statement.

He said the committee to summarize the pressures against academic processes will report at the annual meeting of the Southern Assn. of Colleges and Secondary schools in Memphis the first week in December. He said the committee has not yet been named.

Stanford listed other members of the executive council as:

Dr. Ralph B. Draughon, president of Auburn University; Dr. Frank G. Dickey, president of the University of Kentucky; Dr. Anne Gary Pannell, president of Sweetbriar College; Shelby Counce, director of secondary education at Memphis, and Dr. Harry Jenkins, president of Tyler (Tex.) Junior College.

There is one vacancy on the executive council.

# Dr. Brooks To Read Forensic Paper

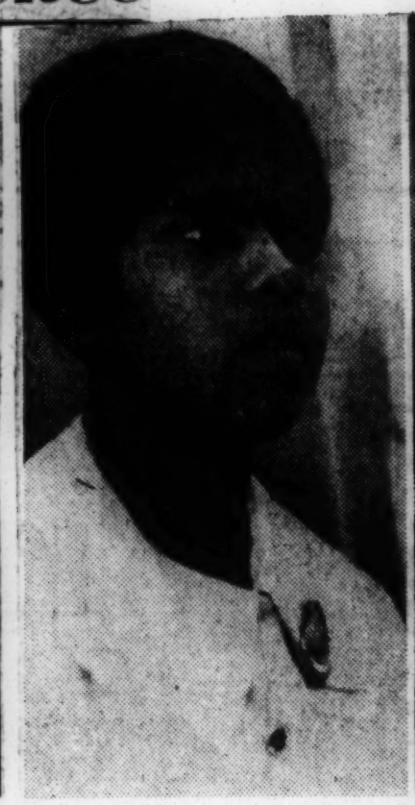
Dr. A. Russell Brooks, associate professor of English at Morehouse College, has been invited by the American Forensic Society to read a paper at its meeting in conjunction with the Conference of the Southern Speech Association in the Robert E. Lee Hotel, Winston-Salem, N. C., April 3-8, 1960.

In the same session of April 7 in which Dr. Brooks is to present his paper on "Perspective in Intercollegiate Forensics," the following other papers will be presented: "Critical Thinking in Tournament Debating" by Dr. Dwight L. Freshley of Vanderbilt University; "A Philosophical Definition of Argument," by Dr. James Simmons of the University of South Carolina; and "A Prelude to Safer Courses of Action in College Debate," by Dr. Merrill G. Christopherson, also of the University of South Carolina.

# Student Government Conference

Dr. Ellsworth Tompkins, executive secretary, National Association of Secondary School Principals, addresses 21st annual junior high school student government conference at Shoemaker Junior High.

Jeffry Cooper, Wilson Junior High student, leads one of 19 panel discussion groups.



Janet Gardner, of Barrett Junior High, ponders question at "Codes of Conduct" panel discussion.

Marilyn Brancato, of Vare Junior High, gravely considers outdoor traffic problem at conference.

Haywood Townsend thoughtfully purses his lips at "Getting Along With Others" discussion.

Marion Dugan, president of Shoemaker Junior High's Student Council, welcomes participants.

Stuart Medoff, panel leader from Leeds Junior High School, pauses at blackboard.

*Inquirer Staff Photos by Al Deans*

# Plan Probe Of Student Censorship

Chicago Defender

Chicago

PHILADELPHIA — The appointment of a three member team of college newspaper editors to investigate charges of college newspaper censorship at Brooklyn college in New York was announced by an officer of the United States National Student Association (USNSA).

5-21-60

Paul A. DuBrul, 21-year-old Student Editorial Affairs Coordinator for USNSA, announced the appointments following the resignation of Lucille Feldman, editor of the Brooklyn College Kingsman. This is the first investigating team to be appointed by USNSA in its 13 year history.

The three editors who have been asked to prepare a report on the status of press freedom at Brooklyn College are Alan Richman of the Hunter Arrow, John McCarthy of the Manhattan Quadrangle and Janet Gregory of the Barnard Bulletin.

The report will be presented for action to the USNSA Student Editorial Affairs Conference next August 17 through 21 at the University of Minnesota Minneapolis.

Miss Feldman resigned last week, charging that she had been forbidden to publish photographs taken of a student demonstration against the nationwide civil defense drill.

14b 1960 WHITE HOUSE YOUTH CONFERENCE

# INVITED BY PRESIDENT EISENHOWER

MRS. COTHORN

MISS WHARTON

Among Des Moines civic leaders who have been invited by President Eisenhower to attend the White House Youth Conference in Washington, D. C. on Mar. 27-Apr. 2, are Miss Charlene Wharton, executive-director of Willkie House; and Mrs. Marguerite Cothorn, secretary of the social work at the Council of Social Agencies.

14c 1960

AMERICAN HERITAGE FOUNDATION

# FOUNDATION SEEKS REFORM OF VOTE

The N.Y. Times

## American Heritage Approves an Educational Program to Re-Enfranchise 19,000,000

New York, N.Y.

Week 12-760

P36

The American Heritage Foundation approved plans last night to work for state voting-law reforms in 1961.

An educational program emphasizing the need to modernize state election laws will be carried on in 1961, the nonpartisan foundation announced.

It estimates that election laws prevented 19,000,000 Americans from voting in November, including 8,000,000 who had moved during the year.

The foundations board of trustees approved 1961 plans at their fourteenth annual dinner, held at the Hotel Pierre. The dinner was in honor of John C. Cornelius of Minneapolis, retiring president.

David Sarnoff, the foundation chairman, said that "the closness of the election dramatizes the importance of the foundation's continuing program to modernize outmoded election laws." He added that President-elect John F. Kennedy's margin averaged less than one vote for each precinct across the nation.

Other speakers included Paul M. Butler, former Democratic national chairman; George Gallup, conductor of the Gallup Poll; Judge Irving R. Kaufman of United States District Court, and Thomas D'Arcy Brophy, past president of the foundation.

According to a spokesman, the foundation will place its main reliance in 1961 on educational programs and in getting cooperation at the local level from civic groups and from 16 "partner organizations."

The foundation's program for voting law reform includes these points:

¶A six months' state residence requirement for local elections.

¶Forty to sixty days' residence requirement for voting for president.

¶"More intelligent" absentee voting laws so that millions who have all the qualifications for voting should not be deprived of their franchise.

¶Objective literacy tests that are not rigged and that can be corrected by an "answer-key" provided by educators.

¶A vote for citizens of the District of Columbia.

The foundation plans to serve as coordinator and clearing house for "Informed Vote" and "Contribute to Your Party" activities in 687 municipalities holding elections in 1961.

14c 1960

CARNEGIE CORPORATION

# AFRICA RECEIVES EDUCATION GRANT

The New York Times

## Carnegie Corporation Gives $450,000 to Lift Teaching Standards in Republics

New York

The Carnegie Corporation granted $450,000 yesterday to raise teaching standards in the schools and colleges of the rapidly maturing republics of Africa.

3-31-60

The grant will establish a co-operative Afro-Anglo-American program headed by Dr. Karl W. Bigelow, Professor of Higher Education at Teachers College, Columbia University.

The goals of the program are to strengthen teacher education in Africa, strengthen mutual appreciation of Africa and its educational problems, and use educational resources more efficiently in the United States, Britain and Africa to elevate Africa's educational standards.

Assisting Dr. Bigelow will be Prof. L. J. Lewis, head of the Department of Education in Tropical Areas at the University of London's Institute of Education, and Andrew Taylor, director of the Institute of Education at the University College of Ghana.

14c

### Colleges in Program

African colleges in the program include University College, Ibadan, Nigeria; Makerere College, Uganda; the University College of Rhodesia and Nyasaland; Fourah Bay College, Sierra Leone, and the Nigerian College of Arts, Science and Technology, at Zaria.

The grant calls for year-long exchange visits among the senior faculty members of the participating institutions. Candidates for higher degrees will be encouraged to undertake research into African educational problems.

The Carnegie Corporation of New York was founded in 1911 by the late Andrew Carnegie. Grants are made from income on its current assets of about $200,000,000.

The corporation also announced yesterday grants to other educational institutions totaling $1,851,500. Among these are:

CARNEGIE INSTITUTE OF TECHNOLOGY —$175,000 for research on thought processes under Prof Herbert A. Simon.

HARVARD UNIVERSITY—$250,000 toward establishing a Center for Cognative Studies.

INSTITUTE FOR COLLEGE AND UNIVERSITY ADMINISTRATORS — $419,000 for research and training programs in academic administration.

COLUMBIA UNIVERSITY—$135,000 to study the role of research in teaching reading, conducted by the university's Bureau of Applied Social Research.

14c 1960

DR. DURWARD V. CASON, SR. FUND

# Both Races Contribute To Project

Money Will Be Used To Help Seminary Students

ATLANTA — (ANP) — Colored and white Baptists throughout the South are helping a white minister establish a memorial fund in honor of his dead son which will be used to educate colored miisters.

It is a shining example of interracial cooperation in a state where such illumination is greatly needed.

**DR. DURWARD V.** Cason Sr. now has about $4,000 in his fund. When the fund reachers $10,000 he plans to use the annual income from the money to help finance the education of young colored students at Baptist colleges.

At least six southern Baptist theological seminaries accept colored students, according to Dr. Harry V. Smith Sr., executive secretary of the Georgia Baptist Foundation, Inc.

Dr. Cason, former pastor of the Hapeville First Baptist church, is secretary of Negro work for the Georgia Baptist Convention.

**DR. CASON'S** 23 - year -old son, Durward Jr., was drowned in a swimming accident near San Deigo, Calif., in 1957.

Shortly before his death Durward had been accepted as an instructor at Georgia Tech., where he planned to teach for a while before he and his wife became foreign missionaries.

Contributions to the fund have come from both white and colored churches, Dr. Smith said.

**"OF COURSE,** we would not use this fund as a lever to try to open the door of any college or seminary that does not choose to receive colored students," Dr. Smith said.

"I realize that as yet this is a small matter," he added, "But I do sincerely believe that it is a gesture toward a Christian solution of one of the most perplexing problems of our generation.

"The proper education of Christian leaders for both races is important."

14c 1960

DANFORTH FOUNDATION

# Danforth Foundation offers scholarships

The Afro-American
Baltimore, Md.
Apr 16

ST. LOUIS, Mo. — The Danforth Foundation, an educational Foundation here invites applications for the tenth class (1961) of Danforth Graduate Fellows from college senior men and recent graduates who are preparing themselves for a career of college teaching, and are planning to enter graduate school in September 1961, for their first year of graduate study.

The Foundation welcomes applications from the areas of Natural and Biological Sciences, Social Sciences, Humanities and all fields of specialization to be found in the undergraduate college.

President J. L. Reddix has named Dr. John B. Eubanks as the Liaison Officer to nominate to the Danforth Foundation two or not to exceed three candidates for these 1961 fellowships.

These appointments are fundamentally "a relationship of encourgagement" throughout the years of graduate study, carrying a promise of financial aid within prescribed conditions as there may be needed. The maximum annual grant for single Fellows is $1500 plus tuition and fees charged to all graduate students; for married Fellows, $2000 plus tuition and fees charged to all graduate students with an additional stipend of $500 for each child. **Students with or without financial need are invited to apply.**

# SERS Will Ask Grant Extension

## Racial Reporting Service To Seek More Funds From Ford Foundation

By WILLIAM BENNETT
From The Commercial Appeal
Nashville Bureau

NASHVILLE, Oct. 2.—Directors of the Southern Education Reporting Service decided Sunday to ask the Ford Foundation to continue SERS on its present basis.

The board's action followed a report by William Rivers, former professor of journalism at the University of Texas, on a Southern School News readership survey he recently completed. The news is SERS' official publication.

Southern Education Reporting Service was organized to gather complete and objective information on developments growing out of the nUited States Supreme Court's 1954 decision on public school desegregation.

**Few Objections**

Mr. Rivers said that out of 97 contacts he made, only seven strong objections to the SERS publication were heard.

One person questioned, Mr. Rivers said, preferred editorial interpretation of segregation-integration developments rather than the objective reporting of the news.

Another complained that the publication di dnot distinguish between the terms desegregation and integration.

One Ku Klux Klan official objected because the "reporting of integration encourages it". Mr. Rivers said the KKK leader called integration "the work of Satan".

**Libraries Use News**

Of 21 libraries checked, "the great majority reported it (the News) was used very strongly," Mr. Rivers said.

The directors voed in favor of a motion to ask the Ford Foundation, a grant from which supports SERS, to continue the service until June 30, 1963.

Philip H. Combs, education program director for the foundation, said the foundation board will discuss SERS in detail at a December meeting.

He said the foundation staff is "exceedingly pleased" by SERS operations but would not predict what the board's action would be.

**Awareness Is Aim**

Frank R. Ahlgren, chairman of the SERS board and editor of The Commercial Appeal, spoke highly of the foundation's fund for education and said directors of the fund are trying to "bring awareness and understanding" of segregation-integration problems during a period of transition.

"I think their approach to it is genuine," he said.

Board members approved a budget of $450,000 for the coming biennium which ends June 30, 1963. That is about $30,000 more than the budget for the current biennium.

# FORD FOUNDATION GRANTS 7 MILLION

## Funds Are Designed to Aid in World Development—Stanford Project Set

Grants totaling $6,951,900 for international development and training were announced by the Ford Foundation yesterday.

Stanford University will get $3,500,000 for a seven-year program to train teachers of business administration in the emerging nations of Asia, Africa and Latin America. The project is designed to spur economic change by relieving an acute shortage of native managers for business and industries.

Thirty to forty visiting students will participate in the first year and up to sixty in each of the following years. They will spend about nine months at Stanford and three months as visiting faculty members at cooperating American business schools.

A $3,000,000 grant to the School of Advanced International Studies in Washington, division of The Johns Hopkins University, will be used for a ten-year development program including the construction of a new building.

Dr. Milton S. Eisenhower, president of The Johns Hopkins, said in Baltimore that the School of Advanced International Studies was "meeting a vital need through the training of young men and women to take positions in industry and government in the international field." Dr. Eisenhower, a brother of the President expressed gratitude for the Ford Foundation and other supporters of the school.

Clarence H. Faust, a vice president of the Ford Foundation, foresaw "improvement of American knowledge and competence in foreign affairs and international relations" as a result of the school's expanded program.

Smaller grants for international training and research include $125,000 to the American Council of Learned Societies for its "Current Digest of the Soviet Press," a weekly publication.

The Association for Asian Studies will receive $135,000 for a five-year series of research conferences on the modernization of Japan and its meaning to Japanese society and to other countries.

Columbia University and Harvard University were granted $67,500 and $100,000, respectively, for exchanges of faculty members with universities in the Soveit Union. Scholars from Moscow will go to Columbia and from Leningrad to Harvard.

A $24,400 grant to Duke University is for a research project on legal principles concerning the question of sovereignty.

# FORD FOUNDATION GRANTS $2,355,000

## Funds to Aid Preparation of Teachers—Educational TV Given $1,500,000

Fourteen universities have received grants totaling $2,355,000 from the Ford Foundation for programs to improve the preparation of college teachers by strengthening the quality of the master's degree.

The foundation, in making the announcement yesterday, said that three more grants totaling $561,000 had been made for a continuing program aimed at improving the preparation of elementary and secondary school teachers. Other education grants, chiefly for television instruction, exceeded $1,500,000.

The foundation said that the master's degree, rather than the doctorate, was becoming the predominant level of preparation of most newly employed college teachers because of the rapid expansion of college faculties.

"Strengthening the quality of the master's degree is a logical and strategic means of strengthening the quality of instruction in American colleges and universities," said Clarence H. Faust, a foundation vice president. "At the same time," he added, "new efforts need to be made to accelerate the output of Ph. D.'s for careers as college teachers."

### Each Has Own Program

Each of the universities has its own program, Mr. Faust said. But they have principles in common, including these:

¶Recruiting outstanding students quickly for the program.

¶Setting up a planned sequence of courses and seminars from the junior year through the first year of graduate school, with the last two years of college equivalent to an honors program.

¶Emphasizing independent study, research and writing in all three years.

¶Supervising the teaching of undergraduate courses and seminars on higher education and college teaching.

Measures to increase the number of Ph. D.'s would include completing foreign language requirements for the doctorate by the end of the first year of graduate school.

Also envisaged is a revision of the graduate program as a whole to ease preparation for Ph. D. qualifying examinations during the first graduate year and to speed progress toward completion of the degree.

### Liberal Education Pushed

The institutions receiving grants for elementary and secondary school teacher programs have programs calling for more emphasis on liberal educations for teachers in addition to mastery of their subject fields.

The largest educational TV grant was $776,000 to continue two experiments in elementary and secondary schools in classroom teaching by television.

One project, begun in 1957, has included 500 schools in sixteen states. It is called the National Program in the Use of Television in the Public Schools. The second experiment involves almost all the 18,000 Washington County, Maryland, students, and utilizes closed-circuit TV.

On the college and university level, $500,000 was appropriated to continue a program started in 1955 that frees faculty members to take part in college-credit courses by television. Nine schools received $436,544 from this fund.

Several smaller grants were made to various schools and school systems for educational TV purposes.

Recipients of grants for preparing college teachers are:

Brown University, $262,000; University of California (Santa Barbara), $128,000; University of Cincinnati, $161,000; Indiana University, $184,000; State University of Iowa, $75,000; Kansas State University, $165,000; University of Missouri, $210,000; University of New Hampshire, $136,000; New York University, $98,000; University of North Carolina (Woman's College), $64,000; St. Louis University, $215,000; Stanford University, $202,000; Tufts University, $195,000, and University of Washington, $260,000.

For preparing elementary and secondary school teachers:

Miami University (Ohio), $249,000; Webster College, $212,000; Yale University, $100,000.

# SCHOOLS TO GET $46,000,000 HELP

## Ford Lists Grants for Five Universities

NEW YORK, (AP)—The Ford Foundation has announced a $46 million program to help five especialy-selected universities in diferent regions of the country to "reach and sustain a wholly new level of academic excellence, administrative effectiveness and financial support."

Foundation president Henry T. Heald said the grants were only the beginning of a long-range "special program in education," to consist of large, unrestricted grants to a few privately supported American universities.

The five universities and the grants projected for each, are:

Stanford, Palo Alto, Calif., $25 million; Johns Hopkins, Baltimore, Md., $6 million; Notre Dame, South Bend, Ind., $6 million; Denver, $5 million and Vanderbilt, Nashville, Tenn., $4 million.

The program requires the universities to raise matching funds in order to qualify for the total grant. Except for Stanford, the universities are required to raise two dollars from other private sources for each dollar of the foundation's grant over the next three years.

Stanford is required to match the grant three-for-one over five years.

The universities will get relatively small immediate grants, however, to meet high-priority needs. Stanford will get an immediate grant of $1,075,000, Johns Hopkins $1,967,000, Notre Dame $1,075,000; Denver $1,200,000 and Vanderbilt $791,000.

Heald explained that the grants were based on a year of study of each university's academic goals for 1970 and beyond, and the university's financial plans to achieve them.

"Each region of the nation needs more universities of excellence and national stature," he said. "It is also essential to the welfare of the nation that each part of its traditional dual system of higher education—the privately and publicly supported colleges and universities—remains strong and reaches higher levels of performance.

"Thus, in each region we sought private universities already embarked on future-development programs commensurate in scope, imagination, and practicability to the vast needs of American Society."

# New view in changed world needed -- Hutchins

The Afro-American
Baltimore, Md.

NEW YORK, N.Y. — Robert M. Hutchins, president of the Center for the Study of Democratic Institutions, said today that traditional American ideas of freedom and justice need thorough re-examination in the light of changing world conditions.

Hutchins declared that technological changes, the growth of bureaucracy, industrialization and international tensions have made many venerated attitudes about democracy obsolete.

"Cliches" and "Slogans" have taken the place of a real understanding of free institutions and the problems they face, Hutchins said.

* * *

"OUR SITUATION has changed too fast for our ideas," Dr. Hutchins declared, and as a result "no social, economic, political theory, no theory of international relations that we have at present is yielding us an understanding of the world we live in."

In a 1958 - 1959 report covering the activities of the Center located in Santa Barbara, Cal., and its parent organization, the Fund for the Republic, he said that the Center would devote all its resources to promoting informed discussion of the character and purposes of the free society.

The report showed that as of September 30, 1959, the Fund had total assets of $4,389,000 of which $3,749,000 has been appropriated to support the work of the Center.

The Fund was established in 1952 as an independent corporation by the Ford Foundation with grants totaling $15,000,000.

Hutchins also disclosed that the Fund has received gifts and pledges totaling $155,000 from various individuals and organizations for the support of the Center's activities.

# Protestant Fellowship Project To Aid Negro

The Louisiana Weekly
New Orleans La.

Dr. Nathan M. Pusey, president of Harvard University and of The Fund for Theological Education, Incorporated, today announced the establishment of a new fellowship program under the auspices of the latter organization. Named the Protestant Fellowship Program, it is a plan to provide financial aid for a small number of outstanding Negro seminary and college students preparing for the christian ministry. The project also hopes to assist these students in finding adequate pastoral relationships upon their graduation from the theological school of their choice. An advisory committee of prominent churchmen will be appointed to provide advice and assistance to the students.

Dr. Pusey stated: 'This project is directed particularly to helping young Negro students who so often are faced with severe economic problems which pose great obstacles to their studying for the ministry."

REV. SHELBY ROOKS

The fellowship program is being financed with the proceeds of a grant of $225,000 made by The Sealantic Fund, Inc., of New York City, established in 1938 by the late John D. Rockefeller, Jr.

The Rev. C. Shelby Rooks, minister of Lincoln Memorial Congregational Temple in Washington, D. C., has been appointed associate director of The Fund for Theological Education, with primary responsibility for the Protestant Fellowship Program. Mr. Rooks is a graduate of Virginia State College and the Union Theological Seminary in New York City.

# Create Program To Aid Students

Chicago Defender

PRINCETON, N. J. — Dr. Nathan M. Pusey, president of Harvard University and of the Fund for Theological Education, Inc., announced the establishment of a new fellowship program under the auspices of the latter organization named the Protestant Fellowship Program.

The Program is designed to provide financial aid for a small number of outstanding Negro seminary and college students preparing for the Christian ministry. The project also hopes to assist these students in finding adequate pastoral relationships upon their graduation from the theological school of their choice.

An advisory committee of prominent churchmen will be appointed to provide advice and assistance to the students.

**EASE PRESSURE**

Dr. Pusey stated: "This project is directed particularly to helping young Negro students who so often are faced with severe economic problems which pose great obstacles to their studying for the ministry."

The fellowship program is being financed with the proceeds of a grant of $225,000 made by the Sealantic Fund, Inc., of New York City, established in 1938 by the late John D. Rockefeller, jr.

The Reverend C. Shelby Rooks, minister of Lincoln Memorial Congergational Temple in Washington, D. C., has been appointed associate director of the Fund for Theological Education, with primary responsibility for the Protestant Fellowship Program.

Mr. Rooks is a graduate of Virginia State College and of the Union Theological Seminary in New York City.

The Fund for Theological Education, with offices in Princeton, N. J., also administers the Rockefeller Brothers Theological Fellowship Program and the Rockefeller Doctorial Fellowships in Religion.

# GUGGENHEIM GRANTS GO TO 19 IN ILLINOIS

## Seven U. of I. Faculty Members Honored

Nineteen scientists and scholars of five Illinois universities and the Argonne National laboratory were among 303 persons named Sunday as recipients of 1960 fellowships from the John Simon Guggenheim Memorial Foundation. The fellowships totalled $1,400,000.

Seven of the 19 are members of the faculty of the University of Illinois, and four are from the University of Chicago faculty. Northwestern university, Southern Illinois university, and Illinois Wesleyan university each had one recipient. The remaining five were Argonne scientists.

**Set Up in 1925**

Established in 1925 by the late Simon Guggenheim, former senator from Colorado, and his wife in memory of their son, the foundation annually grants fellowships for graduate work in all fields of knowledge and the arts. The awards vary according to the need of recipients and the scope of study.

University of Illinois recipients:

Dr. Robert L. Haig Jr., assistant professor of English; Dr. Paul Handler, assistant professor of physics and electrical engineering; Dr. Robert D. Hill, professor of physics; Dr. John R. Laughnan, professor of botany and plant genetics; Dr. Dillon E. Mapother, professor of physics; Dr. Finn Wold, assistant professor of biochemistry, and Dr. Ralph S. Wolfe, associate professor of microbiology.

University of Chicago:

Dr. Robert C. Bald, professor of English; Dr. Ignace J. Gelb, professor of Assyriology; Dr. Robert M. Lewert, associate professor of microbiology, and Dr. Allen W. Phillips, assistant professor of Spanish.

Other winners were Dr. Hsien-Chung Wang, professor of mathematics at Northwestern university; Dr. Harry T. Moore, professorial lecturer in English at Southern Illinois university, and Dr. Rolf E. Soellner, English professor at Illinois Weselyan university.

Argonne laboratory recipients:

Dr. Leonard S. Goodman, associate physicist; Dr. Arthur Lindenbaum, associate biochemist; Dr. Max S. Matheson, research chemit; Dr. Theodore B. Novey, associate physicist, and Dr. Frank S. Tomkins, senior scientist.

Associated Press wirephoto

KENNEDY AND MBOYA TALK TO PRESS — Sen. Kennedy listening as Tom Mboya, general secretary of the Kenya Federation of Labor, talks to newsmen yesterday on the lawn of the Democratic Presidential candidate's Hyannis Port, Mass., home. Mr. Mboya is discussing African problems with the Senator.

New York Herald Tribune

# Kennedy Plans More Aid To New African Nations

New York 1:7

**Sees Student Officials**

*By a Staff Correspondent*

HYANNIS PORT, Mass., July 26.—Sen. John F. Kennedy said today he hoped the United States in the future will play "a more effective role" in aiding the development of the new nations now taking shape in Africa.

The Democratic Presidential nominee made the comment after a ninety-minute conversation with Tom Mboya, moderate leader among the nationalists in the British East African Colony of Kenya.

Mr. Mboya made a round-trip flight from New York to see the Senator at his summer home here. The African leader was accompanied by his brother, Alphonse Okuku, a first-year student at Antioch College, Yellow Springs, Ohio.

Mr. Mboya, who is flying back to Africa tomorrow, devoted much of his American trip to conferences with officials at the African-American Student Foundation, a New York group which hopes to arrange for 250 African students to fly to the United States for the coming year.

Declaring that there is "limitless" scope for such a travel program, Mr. Mboya said he had told Sen. Kennedy of Communist efforts to train American students behind the Iron Curtain. He referred to reports that 1,000 Asian and African students are now studying at the new "University of Friendship" in Moscow.

The Oxford-educated Kenya leader, wearing a tan wool business suit, said he thought the greatest need of Africa's new states is a "crash program to train thousands of people to man our new government and handle our economic and social problems."

Sen. Kennedy suggested that the United Nations might be the best channel to provide the trained personnel. He recalled that he has previously proposed establishment of a joint international development fund to aid in student exchanges, international development and training of technicians for service in the new African countries.

Mr. Mboya said he believed most African countries would prefer to have technical and financial aid channeled through an international agency, rather than through an individual nation, but observed that the resources of international agencies are "usually limited."

# Kennedy, U.S. Vie on African Student Airlift

The Christian Science Monitor

**By Mary Hornaday**
*Staff Correspondent of The Christian Science Monitor*

**New York**

In what some observers see as a bid for the American Negro vote in November, the Kennedy Foundation has furnished $100,000 to transport 250 African students to the United States next month.

The grant followed a visit made by Tom Mboya, Kenya labor leader and noted African nationalist, to Senator John F. Kennedy's summer home at Hyannis Port, Mass.

Previously, Mr. Mboya had attended a conference on African higher education sponsored by the Phelps-Stokes Foundation here in New York. At this meeting he approached State Department aides for help in his student-airlift project but was told that no help could be given.

However, Mr. Mboya's associates in the African-American Foundation here in New York have now disclosed that a State Department offer was subsequently made and transmitted to them by James Shepley, a top assistant to Mr. Kennedy's political rival, Vice-President Richard M. Nixon.

Announcement that the State Department had offered to provide the $100,000 was made in the Senate by Senator Hugh Scott (R) of Pennsylvania.

Frank Montero, president of the foundation, said the State Department offer came "too late."

Earlier this year the foundation had formally asked J. C. Satterthwaite, Assistant Secretary of State for Africa, to make funds available either from the Military Air Transport Service or from the department's special fund for tropical Africa. Both requests were rejected.

# How U.S. Gooted In Move To Aid African Students

By WILLIAM V. SHANNON

WASHINGTON — There is an interesting political background to the announcement last week by Sen. Scott (R-Pa.) that the State Dept. had offered to provide $100,000 to transport 250 African students to this country.

The State Dept. acted only because of a last-minute intervention by Vice President Nixon. Nixon intervened when he learned the Kennedy Foundation, established by the family of his Democratic opponent, Sen. Kennedy, had decided to finance transportation for the students. The Administration's decision came too late.

Frank Montero, the president of the African-American Foundation, said:

"We appreciate the State Department's belated offer. This offer, however, was only made after our organization—which had repeatedly requested help from the State Department and had been turned down—had received a $100,000 grant from a private foundation."

Montero did not identify the foundation, but other sources said it is the Kennedy Foundation.

A half-dozen years ago Tom Mboya, the young Kenya labor leader, and some American friends began helping students from East Africa to study in this country. The program slowly grew until last year. Mboya, during a lecture tour, personally arranged scholarships at more than 50 colleges to put the program on a permanent basis. The African-American Students Foundation was established.

American colleges granted 250 tuition scholarships. To pay their living expenses, the students raised $250,000 among themselves. All that was lacking was $100,000 to pay their fares here.

Early this year, the foundation applied to the State Dept for help in meeting travel costs. It was suggested that the students might be flown over by MATS (Military Air Transport) or their trip financed out of the department's special fund for tropical Africa. The department rejected both requests.

On June 9, a representative of the foundation asked Nixon to intercede. He replied two weeks later that he had urged the department to give the request "serious consideration."

On July 7, J. C. Satterthwaite, the assistant secretary of state for Africa, wrote the foundation. He took note of Nixon's recommendation but said the U. S. could not make funds available.

The following week, Montero and William X. Scheinman, the foundation's vice president, visited Washington and conferred with three of Satterthwaite's assistants. They left empty-handed.

On July 25, the Phelps-Stokes Foundation sponsored a conference on African higher education. Mboya flew from Kenya to attend. At this meeting the project, was discussed. State Department representatives said no help could be given.

After the meeting, Mboya went to Hyannis Port to meet Sen. Kennedy. Near the end of a three-hour conference, Mboya brought up the problem of the East African students and asked Kennedy if he could intervene. Kennedy is chairman of the African Affairs subcommittee of the Senate Foreign Relations Committee.

Kennedy said he did not think he could help if Nixon had already tried and failed. However, he suggested that the Kennedy Foundation which has financed other student exchange projects might be interested. He requested that if assistance were given that it be kept confidential because otherwise the Kennedy Foundation would seem to be making a political gesture. Mboya agreed. This was on July 26.

On behalf of the Kennedy Foundation, Sargent Schriver, Kennedy's brother-in-law, met with representatives of the African-American Foundation. Because a decision had to be made immediately if the students were to arrive in early September, Schriver informed them on Aug. 10 that the Kennedy Foundation would provide the money.

During last week-end, James Shepley, a top assistant to Nixon, called Montero and said the Vice President was again interested in the matter, and would try to get government funds. Montero reportedly said this was no longer necessary because private financing had been arranged. He refused to confirm or deny Shepley's remark that he knew it was the Kennedy Foundation.

On Monday, Shepley informed Montero the money would be forthcoming from the State Department, but Montero told him it was too late. Nevertheless, Sen. Scott, a member of Nixon's campaign "board of strategy" went ahead with his announcement of the State Department's offer.

"It is regrettable that Sen. Scott would attempt to reap some political advantage for the Administration in this matter when the truth is that the Administration has repeatedly turned a cold shoulder to this project," Montero commented.

# Kennedy Foundation Fund Credited With Helping Cadets in '57 Scandal

By J. F. TER HORST
North American Newspaper Alliance

Presidential candidate John F. Kennedy and his family apparently like to spend some of their wealth helping needy students in the midst of controversy.

The Republicans have made a campaign issue out of the Kennedy foundation's $100,000 grant to transport 250 East African students to American colleges this fall.

But nine years ago, the Kennedys were the anonymous benefactors who provided scholarships for some of the West Point cadets who had been expelled in an exam-cribbing scandal that rocked the country and wiped out the Army's football team.

This was disclosed by an authoritative source in the Kennedy campaign organization during a quest for information about the little-known role of the the Joseph P. Kennedy Jr. Foundation.

Some 30 or 35 of the ousted football players took advantage of the money to continue their education at other schools," the Kennedy official said.

Most of them were reported to be unaware of the source of the money, since the funds were made available anonymously.

"They were told that if they wanted to go on in school, there was a benefactor who would help them out," he said.

Many of these enrolled at Notre Dame University. The amount of financial aid was not disclosed.

"Not all of the ousted West Pointers had actually cheated," the Kennedy official explained. "Many were expelled simply because they knew the cribbing was going on and had not reported it."

He implied the Kennedys were interested in helping these varsity players.

The Kennedys come by their football sympathies naturally. The Democratic nomine eplayed junior varsity football at Harvard. His two brothers, Robert F. and Edward (Ted), were varsity ends at Harvard. Also a Harvard footballer—though not a letter man—was their late brother, Joseph, jr., a Navy lieutenant whose plane exploded over the English channel August 12, 1944.

The Kennedy foundation was set up in Joseph's memory in 1946.

Among those ousted in the West Point cribbing case was the son of head coach Earl (Red) Blaik. Bob Blaik, Army quarterback, admitted he was one of those dismissed. Col. Blaik said the ousters cut his varsity squad from 45 members to two. In all, 90 students were expelled over a cribbing sytem in which exam information was supplied by some cadets to football players.

Cadets and their families charged the academy with coercion and denial of their legal rights. President Truman ordered an investigation. But a three-man review board, headed by Judge Learned Hand, upheld the dismissals. The Army declined to divulge the names of the ousted cadets.

Aside from the West Point and African cases, the Kennedy foundation has spent most of its money for charities and work in the children's and mental health fields.

It was created 14 years ago by the Senator's multimillionaire father and former Ambassador to Great Britain, Joseph P. Kennedy, sr., of Boston.

Since then, it has given away about $12 million to various projects, schools, hospitals and homes, according to Robert F. Kennedy, the Senator's brother, who is foundation president.

"All of us contribute to the foundation every year," he said. "That, along with the money earned by the foundation assets, makes it possible for the foundation to spend about $1 million annually now."

Robert Kennedy said the foundation operates as a family enterprise "with no payroll and no expenses."

In information supplied by the family to "The Foundation Directory," a 1960 publication by the Russell Sage Foundation, the Kennedy Foundation is listed as having $6,191,768 in assets on December 31, 1958.

Senator Kennedy is the sole trustee of the foundation. His sister, Mrs. Eunice Shriver, is listed as vice president and her husband, R. Sargent Shriver of Chicago, is listed as executive director.

The directory describes the foundation's purposes and activities as: "Primarily interested in youth; grants usually to Roman Catholic institutions, especially for medical research into problems of mentally retarded and handicapped children and for their treatment and education."

**One of 651 Foundations**

This interest stems from the illness of one of the Kennedys' nine children and the eldest of their five daughters, Rosemary, Now 41.

As charitable tax-exempt foundations rank, the Kennedy Foundation is not in the same financial class as the Rockefeller and Ford Foundations. It is one of 651 foundations with assets between $1 million and $10 million.

The largest Kennedy grant on record is a $2.5 million gift in 1950 for a home and school for 300 dependent children in the Bronx. This was the second largest gift ever made to the Archdiocese of New York, Francis Cardinal Spellman said at the time. Non-Catholic groups also have used the facilities of the Joseph P. Kennedy, Jr., Home.

In 1954, the Kennedy foundation gave $400,000 to establish a Catholic community and recreation center in Harlem, N. Y.

Other grants on record include: $75,000 to the Shriners Hospital for Children, Springfield, Mass., 1949; $125,000 to the Kennedy Memorial Home for Crippled Children (Boston), 1949; $110,000 to Notre Dame in 1954, and a $16,500 "junior achievement" scholarship there in 1955; $50,000 to Catholic schools in Pittsburgh, Pa., in 1959.

In addition, Robert Kennedy said the foundation has provided funds to Jewish, Protestant and non-sectarian groups for mental health work, child care, elderly persons' homes and similar projects, largely in Chicago, New York and Massachusetts.

11c 1960

# Louisiana Weekly Educational Fund Reports Progress

On February 13, 1957, the Louisiana Weekly Educational Fund was incorporated by the State of Louisiana. The organization has been in existence 3 years and 4 months. The officers and members are grateful for the privilege of reporting good news about this adventure of faith for the preparation of YOUTH for creative living in the World of Tomorrow.

The story is encouraging. 1024 individuals and organizations have contributed $12,300 in cash. Additional pledges total $8,268. Payments on loans total $696.90. We are just $3 short of $13,000 in cash from contributions and loan repayments. We anticipate, at least, $15,000 in cash by the end of the current year.

The organization has lent 26 students $7,100. Four of these students have completed their educational programs. Miss Mable R. Morrison (A. B. Xavir of New Orleans) received the degree of Master of Music from DePaul University, Chicago, June 6, 1960. She gave a graduate recital on May 25 in partial fulfillment for the degree. She anticipates early employment and study in Paris next summer.

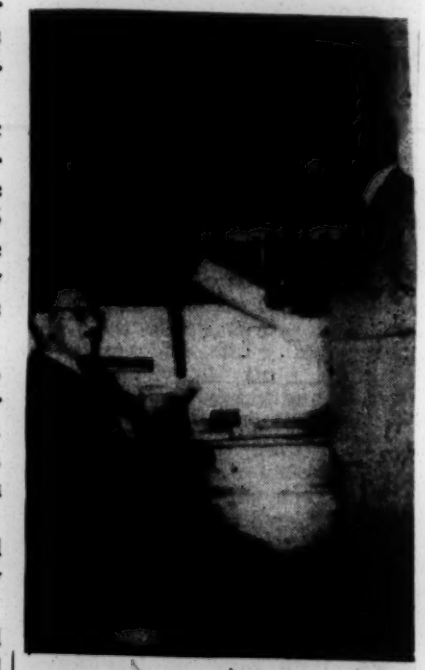
Leonard F. Augustine, Jr. graduated from Catholic University in Washington a year ago. He just finished a successful year of teaching in St. Augustine High School in our city. He plans to attend graduate school at an early date.

Mrs. Gloria C. Firmin and Mrs. Lorraine Petit graduated from Dillard University in June 1959 and entered the Orleans Parish School System. Mrs. Firmin has been an English teacher in the Carver Junior High School and Mrs. Petit, a first grade teacher in the Coghill Elementary School.

All four of these persons have kept the terms of their agreements. Two of them, Miss Morrison and Mr. Augustine have paid their loans in full - $200 and $400 respectively. Mrs. Firmin and Mrs. Petit began with quarterly repayments on their loans last month. The Fund is very much pleased with these four persons who have fulfilled the philosophy of the organization in a fine way.

PERSONS SEEKING LOANS FOR THE 1960-61 ACADEMIC YEAR should get application forms from the office of Attorney Revius O. Ortique, 2140 St. Bernard Avenue. The filled application, transcript of last school attended, and health certificate should be mailed to 1825 Hope Street not later than August 15th.

MABLE R. MORRISON
Repaid Loan on May 17, 1959



LEONARD AUGUSTINE, JR.
Repaid Loan on June 11, 1960 and receives canceled agreement for check.

# Maytag Company Gives $3,000 In Grants

—Newton, Iowa — (May 12, 1960) —Two national educational organizations have been awarded grants totaling $3,000 by the Maytag Company Foundation, Inc.

The National Fund for Medical Education, which furnishes financial aid to the nation's 80 accredited medical schools, received a $2,000 grant.

Awarded a $1,000 grant was the United Negro College fund, which serves 31 Negro colleges, universities and professional schools in the United States.

Both of these funds have received similar grants annually since the Maytag foundation was established in 1953.

# Merrill Grant Procedures Told

Application procedures and qualifications for the Merrill Foundation Scholarships have been announced by the Graduate School of Arts and Sciences, Atlanta University. The scholarships, which are for graduate study in humanities and the social sciences carry a stipend of $3000 for the academic year, dependency allowances, travel expenses, tuition and cost of books.

Applicants must be high school teachers with at least one year's experience, graduates of accredited colleges, and citizens of the United States, Dean N. P. Tillman said. They must have been outstanding students with an average of at least B or show evidence of progressive growth and development. Dr. Tillman said that preference in the selection will be given to applicants under 40 years of age, although others will be considered.

The teaching fields of the applicants should be English, French, history, economics, political science, or sociology.

The Charles E. Merrill Trust has made a grant to Atlanta University for the scholarships for a period of three years in the belief that the vital areas of the humanities and social sciences are being neglected and underrated as the emphasis is put on training in the natural sciences.

# NEW FUND TO AID NEGROES IS ASKED

The New York Times

## Scholarship Service Fears Loss of Students With Talent Is Continuing

New York N.Y.

A national foundation "for equality of opportunity in education" was urged yesterday by Richard L. Plaut, president of the National Scholarship Service and Fund for Negro Students.

Asserting there was a continuing loss of talent "among disadvantaged groups," Mr. Plaut said that a foundation, similar to the size, strength and prestige of the National Science Foundation, could solve the problem.

At present many highly qualified applicants for aid are being turned down for lack of funds, Mr. Plaut said.

Mr. Plaut made the proposal in the scholarship organization's annual report, which said that it had helped about 7,000 Negro students in the last twelve years to enter 350 interracial colleges A total of $2,500,000 in financial support went into that effort.

But despite considerable gains by the service and other organizations, the progress so far must be considered "only a beginning," the report said.

### 672 Negroes Aided

This fall, 672 Negro freshmen entered 3328 interracial colleges with $335,218 in financial aid from the organization, the report said. Awards to seventeen students expelled from their colleges as a result of the southern sit-in demonstrations permitted them to continue their education at other institutions, it added.

Mr. Plaut said that Negro students attending colleges with the scholarship service's aid were "well above the national average in curricular and extracurricular performance, without any allowance for poor preparation or cultural lacks."

The report also said that more Negro students were being placed in forty-five northern preparatory schools. In ten years, these schools have accepted 252 of the scholarship service's candidates. Seven scholarship service student were graduated this year from Andover, Exeter, Kent, Lenox, St. Mary's, Windsor Mountain and Wooster, the report added.

The scholarship servvice last leaese began a national fund-raising campaign led by 130 business, professional and labor leaders, churchmen and educators in twenty-one states.

But without more complete and coordinated national support, many students will continue to be lose "because of lack of motivation, guidance and financial aid," Mr Plaut warned. He recommended that such a foundation provide information, counsel and funds fo rthe communities, local school systems and colleges that would further the talent search on the local level.

# PHELPS-STOKES FUND CONFAB IN VIRGINIA

Atlanta Daily World
Atlanta, Ga.

CAPAHOSIC, Va. — Twenty-four educators and social worker attended a three-day conference held Oct. 7-9, sponsored by the Phelps-Stokes Fund under the direction of its project director, Dr. Aaron Brown.

The conference, which dealt with "evaluation, inter-group relations and pupil needs," was held at Holly Knoll, the scenic and spacious riverside home of the late president of Tuskegee Institute, Dr. Robert Moton.

Consultants addressing the conference were: Dr. Daniel Schreiber, coordinator of the Higher Horizons Program sponsored by the Board of Education in New York City; Dr. Kenneth E. Brown, U. S. Office Of Education; Albert A. Edwards, executive director, St. Philips' Community Center, New York City; Mrs. Carrie Young, coordinator of Special Services for Sheltering Arms Children's Service, New York City; Dr. Thomas J. Pugh, Interdenominational Theological Seminary, Atlanta, Ga., and Dr. Samuel E. Duncan, president of Livingstone College.

Serving as officers of the conference were: Dr. Aaron Brown, Dean Lionel B. Fraser of Jackson State (Miss.) College; Cecil G. Gouke, of the Phelps-Stokes Fund; Dr Charles W. Orr, dean of Alabama A & M College; Robert M. Ratcliffe, of Lemoyne College; and Dr. Cohen T. Simpson ,dean of Talladega College.

High school principals participating were: Dr. Ira B. Bryant, Kashmere Gardens High School, Houston, Tex.; S. E. Burford, William Penn High School, High Point, N. C.; W. H. Coston, Laboratory High School, Alabama State College; Chester Cowart, Douglas Anderson High School, Jacksonville, Fla.; R. C. Johnson, Parker High School, Birmingham, Ala.; R. J. Martin, Ballard - Hudson Senior High School, Macon, Ga.; Edwin L. Phillips, Lucy Addison High School, Roanoke, Va.; A. H. Richardson, Archer High School, Atlanta, Ga.; and H. B. Rutherford, Booker T. Washington High School Quitman, Ga.

Others participating in the conference were: Edward Lumley of Brooklyn, N. Y.; Walter Washington, president of Utica Junior College, Utica, Miss., and William A. Waters, dean of Rust College, Holly Springs, Miss.

## P-TA Meet Keynoter

Dr. R. O'Hara Lanier of the Phelps-Stokes Foundation will make the keynote address to the 33rd annual session of the Virginia State Conference of Parents and Teachers in the Little Theatre of Norfolk Division, Virginia State College on Thursday, Nov. 17.

A noted educator, Dr. Lanier will pursue the convention theme: "Increasing Opportunities for Growth Through Dynamic and Competent Leaders."

# Phelps-Stokes Fund Expands Program, Elects New Trustees

Atlanta Daily World

Atlanta Ga.

NEW YORK—Reflecting the growing demands in Africa and the United States for education to prepare Negroes for new careers and the exercise of expanding rights and responsibilities, the Phelps-Stokes Fund has begun the New Year with plans to concentrate its major attention to the following programs of human development:

(1) Pubication of a report summarizing a five - year cooperative effort to improve the quality of secondary instruction in 16 Southern institutions. State superintendents of public instruction in four Southern states (Georgia, Mississippi, Alabama and North Carolina), the faculties of Negro colleges and universities, and consultants from the U. S. Office of Education are among individuals and institutions cooperating in the program, directed by Dr. Aaron Brown, Phelps - Stokes Fund project director, and financed by the General Education Board and the Rockefeller Foundation. (With the issue of the report, Dr. Brown will continue to administer a separate three - year 1959-1961 "cultural enrichment program" for Negro graduates of Southern high schools; summer courses, held in Atlanta and New Orleans will prepare high school graduates for college study).

(2) An inquiry into business - education opportunities for American Negroes, and the role of Negro colleges and universities in the development of entrepreneurial activities of Negroes, a Phelps - Stokes Fund project directed by Dr. Frederick D. Patterson, Fund president.

(3 Continuation, by Dr. R. O'Hara Lanier, of an investigation into foreign service opportunities for qualified American Negroes to serve in various technical assistance, economic development, and educational activities in Africa. (Dr. Lanier, former U. S. Minister to Liberia, will return to New York in January from an extended tour of African countries, including Guinea, where he spent six weeks consulting with Guinea officials about their manpower and personnel plans and requirements).

(4) Adult education conferences on public and international affairs, for Negro and white leaders, at Holly Knoll, a rural conference center established by the Fund at Capahosic, Gloucester County, Va., as a memorial to the late Dr. Robert R. Moton, former president of Tuskegee Institute, Ala.

(5) A program of educational cooperation with African students and scholars in the United States, involving: (a) limited financial assistance to Africans completing degrees in American colleges and universities; (b) research liaison services to acquaint Africans with current American research on African affairs and cultural history; (c) seminars and symposia at the New School for Social Research at which Africans will be invited to speak on African affairs for American audiences; and (d) development of an informal clearinghouse for exchanging information about scholarly pursuits of Africans during their American sojourn. (This program is the responsibility of Wilton S. Dillon, director of research ,and Miss Ida Wood, newly-appointed staff associate).

With the increasing number of African students now in the U. S., especially recent and anticipated arrivals from East Africa, the Phelps - Stokes Fund also, in 1960, will cooperate with other agencies to study ways and means to reduce the financial plight of African students in the U. S.

(6) Cooperation with the Department of State and other government agencies in planning itineraries for distinguished African visitors wishing to observe educational progress in the American South, and in American Indian communities.

(7) A joint Hazen Foundation-Phelps - Stokes Fund research project to obtain knowledge about African evaluations of the types of higher education which Africans regard as useful contributions to training persons for careers in self - governing societies. Interviews will be made in West Africa during a six - month inquiry starting in October, 1960.

**TWO NEW TRUSTEES**

The New Year also will bring two new members to the Phelps-Stokes Fund board of trustees, Dr. Emory Ross, chairman of the board, has announced that Dr. Rufus E. Clement, president of Atlanta University, and Dr. George W. Carpenter, acting general secretary of Atlanta University, and Dr. George W. Carpenter, acting general secretary, International Missionary Council, 156 Fifth Ave., New York, have accepted invitations to serve as trustees. Dr. Clement, an elected member of the Atlanta Board of Education, will succeed Dean Liston Pope, Yale Divinity School, who resigned as a Phelps - Stokes Fund trustee. Dr. Carpenter, a former missionary in the Belgian Congo and author of THE WAY IN AFRICA, takes the place of Dr. John Reisner, who has retired from the board after 15 years of service.

Dr. Frank Horne, executive director of the New York City Commission on Intergroup Relations, has been named secretary of the Phelps - Stokes Fund trustees succeeding Dr. Reisner.

**NEW QUARTERS**

In view of the expanded programs of the Fund, a five-year lease has been signed recently for new quarters at the United Charities Building, 297 Park Avenue South.

# TV Proposal To Up Negro School Level

Associated Negro Press

Rights Commission Ends Two Days Of Fact Finding

GATLINBURG, Tenn., March 22 (ANP)—Wider use of such things as educational television was suggested today as a means of bringing Negroes' educational level up to that of white pupils.

The suggestion came at the conclusion of a two-day U. S. Civil Rights Commission fact-finding conference on problems facing school systems which have abandoned traditional racial segregation policies.

"It is an established fact that there are certain differences between the level of Negro education and white education," said Dr. Aaron Brown, project director for the Phelps-Stokes Fund, a private fund to improve race relations.

**Other Educators Agree**

Brown, a Negro, was among educators giving voluntary statements to the commission. His comments were echoed, in varying degrees, by white school administrators, who said Negroes often have trouble competing with white students in an integrated school.

Most, including Brown, blamed this on the fact that Negroes usually lack the cultural background of whites.

Many school officials said they found that grouping students, regardless of race, according to ability was one way to help solve the problem without lowering educational standards.

**Experiment Outlined**

T. Wilson Cahall, administrative assistant to the superintendent of schools in Washington County, Md., outlined an experiment with educational TV in the Hagerstown, Md., school system.

"Perhaps the use of this device might be of some value where there is a difference between the levels of white and Negro children, and this is a hindrance of the process of education," Cahall suggested.

Several educators appearing before the commission had expressed fear that educational standards might suffer as a result of integrating students with two different levels of learning.

Dr. Frank Stallings of the University of Louisville reported on a study made of Negro and white achievement levels before and after integration in Louisville. In both cases, he said, the Negro level was behind that of the white students, but after integration, the overall average for both Negroes and white had improved.

# Phelps - Stokes Expands; To Move To New Quarters

Call P. 4

Kansas City

NEW YORK.— (ANP) — Trustees of the Phelps-Stokes fund meeting here last week heard reports on special projects they are conducting in Africa and the South in addition to its activities among American Indians and in low cost housing in New York.

Simultaneously, it was announced that the fund is moving to larger quarters at 297 Park Ave., necessitated by its increased program of activities.

With Dr. Emory Ross, chairman, presiding, reports were made by Dr. R. O'Hara Lanier of the staff who has just returned from a six months trip to North Africa, West and Central Africa. While there he made an economic survey of Guinea, the new nation. His general tour was made with the idea of studying opportunities for the possible placement of trained Negroes desiring to develop careers in those areas.

Secretary Wilton S. Dillon who has also been travelling in Africa reported on a project jointly underwritten by the Edward H. Hazen Foundation in which he evaluated the effects of Western education in Africa.

4-c-4-29-60

**Reports on Secondary Education**

Dr. Aaron Brown, also an officer of the fund, reported on a program he has been conducting for a five year period and which has been studying methods of improving secondary education in the South. This study which has been participated in actively by three universities, 16 colleges and 16 high schools in five southern states and the District of Columbia, has set a pattern. More than 500 teachers participated and approximately 15,000 high school students were involved. The project which operated during 1954-59 has closed but Dr. Brown will be serving as a consultant in the field.

**President Patterson Reports**

President F. D. Patterson under whose direction the fund has widened its activities, gave a resume of the fund's work. The fund is engaged in housing studies in the low cost field in New York and in work among American Indians.

Harold Fleming, director of the Southern Regional Council, also made a report on race relations in the South and the effects of the stepped up non-violent student protests against racial segregation.

# Magazine To Give 66 Scholarships

...YORK — The creation of ...olarships for Negro college ... during the next three ... was announced recently by ... Reader's Digest Foundation. ...ips to be provided through a ... the United Negro College ..., which will administer the ...rships.

...Digest Foundation announc- ...that two scholarships a year ...be awarded in each of eleven ...mber colleges of the U.N.C.F. ...In the three-year cycle of ...grant all of the Fund's 33 ...er colleges will be covered. ...ividual recipients of the ...olarships will be selected by ...executive staff of the U.N.C.F. ...recommendations made by ...colleges.

...United Negro College Fund ...founded in 1944 by Dr. Fred- ...k D. Patterson, then president ...Tuskegee Institute. It seeks ...,000 annually for apportion- ...among 33 private accredit- ...Negro colleges, located in the ...states having the largest Ne- ...populations. John D. Rocke- ...3d is Chairman of the ...'s National Council.

...Reader's Digest Foundation ...established in 1949. Among ...stated objectives is "to help ...make the most of its edu- ...al opportunities."

...leges to be granted scholar- ...during 1960 are: Benedict ...e, Columbia, S. C.; Bethune- ...man college, Daytona Beach, ...Dillard university, New Or- ..., La.; Paine college, Augus- ..., Ga.; Philander Smith college, ...Rock, Ark.; Spelman col- ..., Atlanta, Ga.; Knoxville col- ..., Knoxville, Tenn.; Living- ...college, Salisbury, N. C.; ...ega college, Talladega, ...ley college, Marshall, Tex. ...mpton Institute Hampton,

## John D. III, Heads UNCF's Council For Guaranteeing Offer

### Benedict College, South Carolina, Knoxville College Among Beneficiaries Chosen For Additional Help From Philanthropists; There Are 33 Beneficiaries In All, Sure To Be Provided With Aid From United Negro College Fund

New York, Dec. 27—The creation of 66 scholarships for Negro college students during the next three years was announced today by the Reader's Digest Foundation. They will be provided through a grant to the United Negro College Fund, which will administer the scholarships.

The Digest Foundation announced that two scholarships a year will be awarded in each of eleven member colleges of the UNCF. Thus in the three-year cycle of the grant all of the Fund's 33 member colleges will be covered.

Individual recipients of the scholarships will be selected by the executive staff of the UNCF from recommendations made by the colleges.

The United Negro College Fund was founded in 1944 by Dr. Frederick D. Patterson, then President of Tuskegee Institute. It seeks $2,250,000 annually for apportionment among 33 private accredited Negro colleges, located in the twelve states having the largest Negro populations. John D. Rockefeller 3rd is chairman of the Fund's National Council.

The Reader's Digest Foundation was established in 1949. Among its stated objectives is "to help youth make the most of its educational opportunities."

Colleges to be granted scholarships during 1960 are: Benedict college, Columbia, S. C.; Bethune-Cookman college, Daytona Beach, Fla.; Dillard university, New Orleans, La.; Paine college, Augusta, Ga.; Philander Smith college, Little Rock, Ark.; Spelman college, Atlanta, Ga.; Knoxville college, Knoxville, Tenn.; Livingstone college, Salisbury, N. C.; Talladega college, Talladega, Ala.; Wiley college, Marshall, Texas and Hampton Institute, Hampton, Va.

## Readers Digest Gives To UNCF

NEW YORK — Eleven member colleges of the United Negro College Fund have been selected to receive the second group of scholarships from the Reader's Digest Foundation.

These scholarships, totaling $11,000, are part of a three-year program during which all 33 member colleges of the Fund will benefit.

The colleges scheduled to receive scholarships this year are: Barber - Scotia College Concord, N. C.; Bishop College Marshall, Texas; Houston - Tillotson College, Austin, Texas; St. Augustine College, Raleigh N. C.; Tougaloo College, Tougaloo, Miss.; Tuskegee Institute, Tuskegee Ala.; Atlanta University, Atlanta, Ga.; Fisk University, Nashville, Tenn.; Lincoln University, Pa.; Virginia Union Universty, Richmond, Va.; and Xavier University, New Orleans, La.

Last year, the Reader's Digest Foundation announced the creation of scholarships for Negro students, totaling $33,000, through a grant to the United Negro College Fund. The Fund administers the scholarships.

The executive staff of the UNCF selects the individual recipients from recommendations made by the colleges.

The Reader's Digest Foundation was established in 1949. Among its stated objectives is "to help youth make the most of its educational opportunities." It derives its funds from the income of The Reader's Digest, which has the largest magazine circulation in the world, and is published in 30 editions in 13 languages.

languages.

Last year's scholarships, administered by the UNCF went to the following colleges: Benedict, Bethune-Cookman, Paine, Philander Smith, Spelman, Knoxville, Livingstone, Talladega, Wiley, Dillard University, and Hampton Institute.

## UNCF Schools Get Scholarships

NEW YORK — Eleven member colleges of the United Negro College Fund have been selected to receive the second group of scholarships from the Reader's Digest Foundation.

These scholarships, totaling $11,000,are part of a three year program during which all 33 member colleges of the Fund will benefit.

The colleges scheduled to receive scholarships this year are: Barber-Scotia College, Concord, N. C., Bishop College, Marshall, Tex.; Huston-Tillotson College, Austin, Tex.; St. Augustine's College, Raleigh, N. C.; Tougaloo College, Tougaloo, Miss.; Tuskegee Institute, Ala., Atlanta University, Atlanta, Ga.; Fisk University, Nashville, Tenn.; Lincoln University, Lincoln University, Pa.; Virginia Union University, Richmond, Va.; and Xavier University, New Orleans, La.

Last year, the Reader's Digest Foundation announced the creation of scholarships for Negro students, totaling $33,000, through a grant to the UNCF. The Fund administers the scholarships.

The executive staff of the U.N.C.F. selects the individual recipients from recommendations made by the colleges.

The Reader's Digest Foundation was established in 1949. Among its stated objectives is "to help youth make the most of its education opportunities." It derives its funds from the income of The Reader's Digest, which has the largest magazine circulation in the world, and is published in 30 editions in 13 languages.

# John D. Jr. Deyoted Life To World Philanthropy

The Washington Post

Washington, D. C.

United Press International

John Davison Rockefeller Jr., who died yesterday in Tucson, Ariz:. was not fascinated by money making as was his father who founded the Standard Oil Co. His was a life devoted to giving away money, to chemneling the massive Rockefeller fortune into tremendous philanthropies which fostered progress throughout the world in mdicine, education and other fields.

In most ways, however, John D. Rockefeller Jr. was very much like his father, although the son had no hand in the growth of the oil empire, it is difficult to separate his career of his life from that of his father. Indeed, they were linked inextricably until the father's death, at the age of 98, in 1937.

Mr. Rockefeller's personality was stamped with many of his father's characteristics. Early in life, he absorbed the elder's philosophy of thrift—on how money should be saved and spent. Like his father, he kept a meticulous account of his daily expenditures, no matter how small.

And, like his father, too, he never drank or smoked.

"Neither my father, nor his father, ever tasted a drop of intoxicating liquor, nor have I," Rockefeller once wrote. "And my mother and her mother were among the dauntless women of their day . . . often praying on their knees in the saloons.

**Quit Business at 36**

As a young man, Mr. Rockefeller became convinced that the family fortune should be used to promote the advancement of mankind. At the age of 36, he severed his ties with corporate business to devote his time to the family's philanthropies. He concentrated wholeheartedly on what he considered the most challenging task of his life—the constructive use of the Rockefeller fortune. It was to be his lot, as the "builder" of the Rockefeller Foundation, to oversee the distribution of millions of dollars to advance the cause of mankind.

Mr. Rockefeller considered himself as the "salesman"—the intermediary—who "sold" his father on the plan for a huge philanthropic foundation, suggested by Frederick T. Gates, a former Baptist clergyman andclose associate of the elder Rockefeller. But it was the younger Rockefeller who set up the Foundation and sought out the right men who could help administer it.

[Another of Mr. Rockefeller's projects was the restoration of Williamsburg, the Colonial capital of Virginia. In 1927, Rev. W. A. R. Goodwin, of Williamsburg, interested Mr. Rockefeller in returning the city to the way it looked during the 1700s.

[Mr. Rockefeller gave $60 million to the restoration. Scores of buildings were torn down and more than 300 colonial type homes and shops were restored or rebuilt.

[The Governor's Palace, the Capitol building, the Courthouse, the Powder Magazine, a blacksmith shop and an old general store are among the attractions that make the city a favorite spot for tourists.

[For his interest in the project and his contributions to it, Mr. Rockefeller was named an honorary citizen of Virginia by the State Legislature in 1952.]

In all, it has been estimated that the Rockefeller family has donated, publicly or anonymously, more than a billion dollars for the aid, development and cultural enjoyment of mankind, much of it through the Rockefeller Foundation. It is believed to be the largest single fortune ever donated for philanthropic purposes.

John D. Rockefeller Jr. was the only son of John D. Rockefeller and Laura C. Spelman Rockefeller. His boyhood, austere and severely circumscribed, was spent in a girl's world of his three sisters (a fourth had died in infancy). During his boyhood, spent in Cleveland and New York, where the family moved in 1884, his closest companion was his father. The elder Rockefeller entered into his children's games enthusiastically.

"He never told us what to do or what not to do," Mr. Rockefeller recalled in later years. "He was one of us."

Still, his boyhood was a social vacuum. The son of devout Baptist parents, he was forbidden to dance, play cards, even to go to the theater. And, as a teenager, he signed a pledge to abstain from alcohol, tobacco and profanity all his life.

**Married Schoolmate**

Shy, inhibited, unsophisticated, he had difficulty adjusting to campus life at Brown University. But the friendliness of his classmates, who nicknamed him "Johnny Rock," and the carefree campus life relaxed him and made his college days what he later was to call the happiest period in his life. At Brown, he was elected to Phi Beta Kappa and became president of the junior class. As manager of the football team, he got it out of the red for the first time in history.

Attending the 50th reunion of the class of '97, Mr. Rockefeller said:

"Only here on the campus did I enjoy a completely free personality. There has been nothing in my life since like this kind of comradeship."

While at Brown he met Abby Aldrich, daughter of Sen. Nelson W. Aldrich of Rhode Island, who became his bride in 1901. Entering his father's business upon graduation, he felt ill-equipped and inadequate at first, but gained increased confidence as more and more authority was delegated to him by his father.

As a businessman, Mr. Rockefeller was to prove his mettle in helping establish the Rockefeller Institute for Medical Research, the General Education Board, the Rockefeller Sanitary Commission, The China Medical Board, the Bureau of Social Hygiene and, of course, the Rockefeller Foundation in 1913.

One of his produest accomplishments was the building of Radio City, the complex of 14 business buildings and theaters in New York, which has developed into one of Man hattan's leading tourist attractions. The construction, during the height of the depression, exemplified Mr. Rockefeller's unlimited faith in the country's future.

Reared as a Baptist, he grew into interdenominational beliefs as a young man. In the mid-20s he founded and built the Riverside Church in New York, basically Baptist but without actual denomination.

An internationalist, Mr. Rockefeller was responsible for the establishment of International Houses in college and university communities where students of diverse races and nations have lived and studied together.

**Donated U. N. Site**

In 1946, he earned the world's gratitude by donating a site along the East River in New York—valued at between eight and nine million dollars—as a home for the United Nations.

Of the Rockefeller's five sons and one daughter, John D. III, who succeeded his father as chairman of the board of the Rockefeller Foundation, most resembles his father. The other sons are Nelson, the governor of New York who has devoted his life to public service; Laurance, long associated with his father in business and philanthropic enterprises; David, a banker, who served as president of the Rockefeller Institute; and Winthrop, who started a major development project in Arkansas, his adopted state.

The eldest child, and only daughter, Abby, is now Mrs. Jean Mauze.

Mr. Rockefeller's first wife died in 1948. Three years later, then 77, he married Martha Baird Allen, the widow of an old friend and Brown classmate. They had known each other many years.

# John D. Jr., 86, Dies At Tucson

Commercial Appeal

## Father Of New York Governor Devoted Life To Giving Fortune Away

Manchester Union

By United Press International

TUCSON, Ariz., May 11.—John D. Rockefeller Jr., son of the founder of the giant Standard Oil Co. and father of New York Gov. Nelson Rockefeller, died Wednesday at the age of 86.

The elder Rockefeller, one of the nation's greatest philanthropists, had been under treatment at Tucson Medial Center for the past week after a long period of failing health. He was a regular Tucson visitor.

The New York Governor arrived in his own plane Wednesday and was at his father's bedside when he died shortly before noon.

Rockefeller was born Jan. 29, 1874, in Cleveland, Ohio, to John Davidson Rockefeller and Laura C. Spelman Rockefeller.

He leaves six children, a daughter, Mrs. Jean Mauze, and sons, Nelson, John D. III, Winthrop, Laurence and David.

**In Failing Health**

John Rockefeller had been in failing health for some time, but was placed on the hospital's critical list only Tuesday.

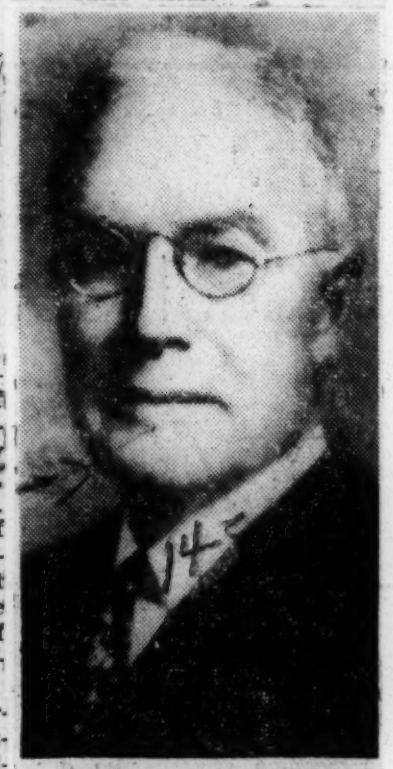
After graduating from Brown University in 1907, he took his master's at Brown in 1914.

He was associated with his father in business enterprises and active in philanthrophic work prior to his retirement. He was a trustee and in 1917 became chairman of the Rockefeller Foundation. He held that position until his retirement in 1940.

He also served as a trustee of the Rockefeller Institute for Medical Research for 53 years, from 1901 to 1954.

**Life of Philanthropy**

John Davidson Rockefeller Jr. was not fascinated by money making as was his father. His was a life devoted to giving away money, to channeling the massive Rockefeller fortune into tremendous philanthropies which fostered progress throughout the world in medicine, education and other fields.



John D. Rockefeller Jr.

As a young man, Rockefeller became obsessed with the idea that the family fortune should be used to promote the advancement of mankind.

At the age of 36, he severed his ties with corporate business to devote his time to the family's philanthropies. He concentrated wholeheartedly on what he considered the most challenging task of his life—the constructive use of the Rockefeller fortune. It was to be his lot, as the "builder" of the Rockefeller Foundation, to oversee the distribution of milions of dollars to advance the cause of

mankind.

**Billions Given Away**

In all, it has been estimated that the Rockefeller family has donated, publicly or anonymously, at least three billion dollars for the aid, development and cultural enjoyment of mankind, much of it through the Rockefeller Foundation. It is believed to be the largest single fortune ever donated for philanthropic purposes.

There is no accurate estimate of Rockefeller's personal fortune.

In 1946, he earned the world's gratitude by donating a site along the East River in New York—valued at between eight and nine million dollars—as a home for the United Nations. He also built Rockefeller Center in New York.

Rockefeller's first wife died in 1948. Three years later he married Marth Baird Allen, widow of an old friend.

# ROCKEFELLER GIFT TO CENTER RAISED

the New York Times

## 5 Million More for Lincoln Arts Project Doubles Sum From Late Philanthropist

June 5-19-60

## FUND NOW AT 64 MILLION

F-35-11

## Directors May Ask City for Aid, With 75-Million Goal Heading for 100 Million

1-4-e

Additional contributions amounting to $5,000,000 from John D. Rockefeller Jr. to the Lincoln Center for the Performing Arts were announced by the center yesterday.

They raised the center's gifts from the philanthropist, who died May 11, to $10,805,656. He had already been the project's largest individual donor. His total gifts to it are now exceeded only by $12,500,000 from the Ford Foundation.

The new announcement lifted the center's reported contributions to $64,585,628 toward a fund-raising goal that originally was $75,000,000. Last week it became known that the expected costs were climbing well above $100,000,000 and that the board of directors was considering possible requests for further city aid.

**1964 Completion Planned**

The center, whose target date for completion is now 1964, is planned to include buildings for the New York Philharmonic, Metropolitan Opera and Juilliard School of Music, as well as a new repertory theatre, a dance theatre (which may be taken over by the City Center of Music and Drama) and a library-museum. The latest published estimates for these, now considered low, total more than $80,000,000.

The newest announced gifts by Mr. Rockefeller include $1,000,000 transmitted last July 24 and $4,000,000 conveyed last Jan. 18. Half of the total—$2,500,000—was earmarked for the center's fund for education and creative artistic advancement, which has now reached $5,500,000 of the present $10,000,000 goal.

An earlier gift of $5,000,000 by Mr. Rockefeller was announced June 30, 1958, but it was given in securities whose actual value at the time of transmittal turned out to be $5,282,450.

**Further Rockefeller Aid**

The center also disclosed yesterday that a site fund of $1,200,000, turned over to it in December, 1957, by the Metropolitan Opera Association, had included $523,206 in securities from Mr. Rockefeller. This resulted from a pledge of $5,000,000 by Mr. Rockefeller on June 20, 1955, toward a new opera house at Lincoln Square.

The center's directors described Mr. Rockefeller's contributions as "pivotal in the tremendous task of securing resources for the center's capital requirements and for its educational program."

Clarence Francis, chairman of the fund-raising campaign, said the newly announced gift "brings our goal within sight and fills us with confidence that others will respond."

Mr. Francis called the center "a milestone in American philanthropy." He asserted that "never before in our history have such large sums been sought and given in order that our people may have increased opportunities to enjoy and benefit from the performing arts."

# $150 Million Estate Left By John D. Rockefeller Jr.

The Montgomery Advertiser
Montgomery Ala
1-13
5-20-60

NEW YORK (AP) — John D. Rockefeller Jr. left an estate estimated at 150 million dollars, the bulk of which will go to his widow and the Rockefeller Brothers Fund Inc.

The will of the philanthropist, who in years past gave away an estimated 450 million dollars, was filed Thursday in Surrogates Court for probate.

Rockefeller died May 11 at Tucson, Ariz., at the age of 86.

The will was dated Jan. 8, 1958, with three codicils at later dates.

It made preliminary gifts of charitable nature, including 1,500 acres of Mount Desert Island, Maine, to the U.S. government. It also specified gifts of personal property and works of art.

**SIX CHILDREN**

The residue is to be divided between the widow, Martha Baird Rockefeller, and the fund, which is a philanthropic foundation.

Rockefeller's six children, a daughter and five sons, including New York Gov. Nelson A. Rockefeller, are wealthy in their own rights. The will left various parcels of real estate to the sons.

**59-PAGE WILL**

By terms of the 59-page will, the widow's portion of the residuary estate will be held in trust. She will receive a life incom from the trust and will have the right to dispose of the principal of the trust in her will.

Mrs. Rockefeller also will receive her late husband's cooperative apartment at 740 Park Avenue.

Real estate owned by Rockefeller in the Tarrytown area of Westchester County, N.Y., will go to the sons.

**HARBOR PROPERTY**

Rockefeller left his J. Y. ranch in Wyoming to his son, Laurence. The will specified that his Harbor Club property in Maine go to his sons, Nelson and David, but this property had been turned over to them prior to his death.

In another bequest that had been effected prior to his death, the will directed that the Van Cortlandt house and adjacent property, all furnishings and antiques, plus one million dollars, be given to the sleepy hollow restoration. This is an organization devoted to preservation of historic buildings in the Tarrytown area of New York.

The will specified that any unfilled charitable pledges made by Rockefeller be carried out.

# SCEF Urges White Southerners To Support Student 'Sit-Ins'

The Pittsburgh Courier Pittsburgh, Pa.

Sat. 6-25-60

ATLANTA—The board of the Southern Conference Educational Fund, meeting here, called upon white Southerners to give more help to sit-in demonstrators throughout the region.

Full support was pledged to the resistance movement in a resolution adopted by the SCEF, a Southside interracial organization working to end segregation and discrimination.

**The group demanded "an end to the use of the court and police machinery for stifling the movement toward freedom." It added that communities "degrade themselves and make themselves look ridiculous by jailing and assaulting the demonstrators."**

In another resolution, the board urged Speaker Sam Rayburn of the U. S. House of Representatives to abolish the Committee on Un-American Activities. "This committee has outlived its usefulness, if it ever had any," the board said.

**"It is a discredit to the nation and to the Congress of the United States. Its staff director, Richard Arens, draws $16,000 a year salary from Congress and gets another $3,000 a year from a millionaire racist who seeks to prove that Negroes are inferior people.**

"The committee chairman, Rep. Francis Walter of Pennsylvania, is a member of a committee which this millionaire has set up to make grants for research to prove his contentions about Negroes.

"Two of the men conducting hearings for the Un-American Committee are among the worst racists in Congress. They are Representative Willis of Louisiana and Representative Tuck of Virginia."

■

**THE BOARD** also voted to "let the Democratic and Republican national conventions know that we want strong civil rights legislation and that we are not satisfied with the Civil Rights Acts of 1957 and 1960."

The board added to its membership two white women active in the integration movement in their respective states. They are Mrs. June Purcell Guild, Richmond, Va., attorney and author, and Dr. Marion Pearsall, Lexington, Ky., anthropologist and professor of behavioral science at the University of Kentucky Medical Center.

The following officers were re-elected to two-year terms:

President, Aubrey W. Williams, Montgomery, Ala., publisher; vice-presidents, Dr. Herman H. Long, director, Race Relations Institute, Fisk University, Nashville, Tenn.; Bishop Edgar A. Love, The Methodist Church, Baltimore, and Mrs. Modjeska Simkins, Columbia, S. C., banker and civic leader.

Also, secretary, Dr. James L. Hupp, Buckhannon, W. Va.; assistant secretary, Mrs. Fred Zengel, New Orleans; treasurer, Benjamin E. Smith, New Orleans; executive director, James A. Dombrowski, New Orleans; and field secretaries, Carl and Anne Braden, Louisville, Ky.

The next meeting of the board was set for October 22 in Nashville.

# SECF Board Asks Aid For Sit-ins

The Nashville Globe Nashville, Tenn.

6-24-60

ATLANTA, Ga. — The board of the Southern Conference Educational Fund, meeting here June 11 called upon white southerners to give more help to sit-in demonstrators throughout the region.

Full support was pledged to the resistance movement in a resolution adopted by the SCEF, a Southwide interracial organization working to end segregation and discrimination.

The group demanded "an end to the use of the court and polce machinery for stifling the movement toward freedom". It added that communities "degrade themselves and make themselves look ridiculous by jailing and assaulting the demonstrators"

In another resolution, the board urged Speaker Sam Rayburn of the U. S. House of Representatives to abolish the Committee on Un -American Activities. "This committee has outlived its usefulness. if it ever had any," the board sad.

"It is a discredit to the nation and to the Congress of the United States. Is staff director, Richard Arens, draws $16.000 a year salary from Congress and gets another $3.000 a year from a millionaire racist who seeks to prove that Negroes are inferior people.

"The committee chairman, Rep. Francis Walter of Pennsylvania, is a member of a committee which this millionaire has set up to make grants for research to prove his contentions about Negroes.

"Two of the men conducting hearings for the Un-American Committee are among the worst racists in Congress. They are Represntative Willis of Louisiana and Repreesntative Tuck of Virginia"

The board also voted to "let the Democrate and Republican national conventions know that we want strong civil rights legislation and that we are not satisfied with the Civil Rights Acts of 1957 and 1960."

"Specifically," the resolution declared, "we shall advise the platform committees of both conventions that we want Part III of the 1957 Civil Rights Act restored. The Justice Department must be empowered to seek relief for citizens subjected to economic and legal reprisals for seeking to exercise their rights."

The board added to its membership two white women active in the integration movement in their respective states. They are Mrs. June Purcell Guild, Richmond, Virginia, attorney and autheor; and Dr. Marion Pearsall, Lexington, Ky anthropologist and professor of behavioral science at the University of Kentucky Medical Center

The foliowing officers were re-elected to two-year terms:

President, Aubrey W. Williams, Montgomery, Ala., (publisher; Vice Presidents, Dr. Herman H. Long, director, Race Relations Institute, Fisk University, Nashville, Tenn., Bishop Edgar A. Love, The Methodist Church, Baltimore, Md.; and Mrs. Modjeska Simkins, Columbia, S. C., banker and civic leader.

Also, Secretary, Dr. James L. Hupp, Buckhannon, W. Va:; Assistant Secretary, Mrs. Fred Zengel, New wOrleans, La.; Treasurer: Benjamin E. Smith, New Orleans, La., [illegible] director, James A. Dombrowski, New Orleans, La., and Field Secretaries, Carl and Anne Braden, Louisville, Kentucky. Mrs. Braden was also reappointed editor of the Southern Patriot, a newspaper published by SCEF. Her husband is associate editor.

The next meeting of the board was set for October 22 in Nashville.

# Ask To End Un-American Activities Committee SCEF

The Louisiana Weekly New Orleans, La.

Sat. 7-2-60

The Southern Conference Educational Fund is asking the Democratic and Republican conventions to call for abolition of the House Un-American Activities Committee.

Aubrey W. Williams, president of SCEF, says recent revelations about the HUAC prove that the committee is a menace to the movement for integration and civil rights. SCEF is a Southwide interracial group working to end segregation and discrimination.

The organization is informing the party platform committees that members of the HUAC and its staff have been linked to leading racists and segregationists.

It cites a recent article in the York (Pa.) Gazette & Daily in which Richard Arens, HUAC staff director, is shown to be on the payroll of a millionaire racist in New York.

Similar revelations have been made in The Washington Post and The Nation, a liberal weekly. The Knight newspapers also revealed recently that HUAC members and staff have been living high on expense accounts while they were supposed to be hunting "subversives."

The York Gazette reported that Arens is paid $3,000 a year by Wycliffe Draper, textile heir, who is trying to prove that Negroes are genetically inferior. This is in addition to the $16,000 a year that Arens draws from Congress for his work with the HUAC.

Dr. Sheldon Reed, director of the Dwight Institute of Human Genetics at the University of Minnesota, said he was approached by Draper to do research. Reed said Draper "thought that the country would be better off without Negroes."

Newspaper reporters also found that Rep. Francis E. Walter (Dem., Pa.), chairman of the HUAC, is on one of the committees that Draper set up to select men to do research on the "inferiority" of Negroes.

A member of one of Draper's other committees is Sen. James Eastland (Dem., Miss.), chairman of the Senate Internal Security Subcommittee, which also claims to hunt "subversives." Arens worked with the Eastland Committee before joining the HUAC.

SCEF is also asking the party platform committees to broaden the Civil Rights Acts of 1957 and 1960. Williams made a special request to the committees to restore Part III, which would give strong enforcement powers to the federal government.

Williams said the Justice Department must have power to stop reprisals against Negro citizens who try to vote or who testify about deprival of the right to register.

He pointed specifically to the case of John McFerren, grocer at Somerville, Tenn., who has led the registration drive in his county. He also testified before the Volunteer Civil Rights Commission in Washington in January.

McFerren's children can't even buy a popsicle within 50 miles of their own home. His wife had to go to a hospital in Memphis, almost 50 miles away, to have a baby in February.

# SCEF Pleased With Ending Of Tenn. Boycott

NEW ORLEANS, La. — The Southern Conference Educational Fund has expressed pleasure in having contributed to the ending of the gasoline boycott against Negroes who attempted to register and vote in Fayette County, Tenn.

John McFerren, leader of the Fayette County Civic and Welfare league, a grocer and filling-station operator in Somerville has announced that his 12,000-gallon tanks have been filled, ending a long, bitter feud.

The trouble began when Negroes started to register to vote.

Negros of Fayette County outnumber the whites two to one, but no Negroes have voted since Reconstruction.

White business men in Fayette County and in adjoining Haywood County, circulated a "blacklist" of Negroes who had registered. No one on the list could buy even the simple necessities.

A major economic squeeze was applied. Credit was cut off, loans for farm needs were denied, food and clothing could not be purchased.

Most important of all in a farming community, Negroes active in the vote drive could not buy gasoline for their tractors. John McFerren's tanks were dug up by one oil company. He purchased his own tanks, but they stood empty for months while all the major oil companies refused him service.

At this point, the SCEF, the NAACP and other organizations called on their members and friends throughout the nation to boycott the oil companies.

"We are glad," said the SCEF statement, "that service has been restored and the boycott has been lifted. We hope that citizens of Fayette and Haywood County who attempt to embrace the franchise will be encouraged and not subjected to further economic intimidation."

14c 1960

SOUTHERN EDUCATION FOUNDATION

# Gets Grant To Aid The Gifted

BATON ROUGE, La. — The Southern Education Foundation has given Southern university a special grant for a Regional Three-Week Institute on Teaching the Gifted, it was announced this week by Dr. Felton G. Clark, president.

Participants will receive three hours graduate credit for the work. Date for the significant institute has been set for July 11-29.

Recently, Southern university was host to the country's first conference on the gifted Negro student. Some 50 persons from colleges and universities in the Southwest and representatives from national and regional associations attended the conference, which emphasized the problems of discovering and encouraging potentially talented students retarded by inadequate cultural background.

# Negro Colleges Receive $43,000 From U.S. Steel

Chicago Defender P. 12

NEW YORK — The U. S. Steel Foundation has announced a gift of $43,000 to Negro colleges for the 1960-61 academic year. Of this amount $33,000 has been earmarked for member-schools of the United Negro College Fund. The remainder will go to 10 additional class-A colleges.

Those schools not members of the Fund which will receive $1,000 each include: Allen University, Columbia, S. C., Claflin College, Orangeburg, S. C.; Florida Normal Institute, St. Augustine, Fla., Jarvis Christian. Hawkins, Texas; Oakwood College, Huntsville, Ala.; Stillman College, Tuscaloosa, Ala.; Daniel Payne and Miles Colleges, both in Birmingham; Selma College, Selma, Ala., and Paul Quinn College, Waco Texas.

Pat, 5-28-60

The 43 schools are among a total of 710 institutions aided by the Steel Foundation this year. Together with special grants, the program totals $2,667,000. In announcing the gifts, Roger M. Blough, chairman of the U. S. Steel Foundation's board of trustees, said:

"The program is directed toward specific efforts for the improvement of educational quality and toward encouraging all segments of the public to increase their support of the Nation's educational facilities."

Chicago Defender

The grant to the United Negro College Fund aids that unit's attempt to secure upward of $2,000,000 this year for the support of 33 colleges, all except one, located in the South. The 1960 drive of the UNCF has already been launched in approximately 50 industrial and metropolitan areas under the chairmanship of Bruce Barton, internationally known advertising executive

# A Ford Grant To John Hay Fellows Plan

New York Herald-Tribune
New York
Sat. 4-4-60
P. 25

## $4,815,000 Given To Aid Teachers' Study

The John Hay Fellows Program, established in 1952 by the John Hay Whitney Foundation, has received a grant of $4,815,000 from the Ford Foundation which will enable the program to continue and expand through 1966, Dr. Charles R. Keller, director, announced yesterday.

The program has offered almost 200 public high school teachers the opportunity for a year's study in the humanities. The fellows receive a stipend equal to their salaries, plus travel and tuition expenses. No stipend this year is less than $5,000. Sixty-three are studying this year at Chicago, Columbia, Harvard, Northwestern and Yale. The University of California will be added to these five next year, when eighty-three fellows will be taking humanities study.

The program also offers summer institutes each July for about 100 teachers and public school administrators. Dr. Keller said yesterday that this summer's two institutes probably will be expanded to ten by 1964 and 1965.

Dr. Keller also announced the appointment, effective July 1 of Dr. Bernard S. Miller, principal of the Peekskill, N. Y. High School, as associate director of the program.

The Ford Foundation previously granted the John Hay Whitney Foundation $1,400,000 for a two-year fellows program expansion in 1958.

# Cutback In School Funds May Ease

The Montgomery Advertiser

By THE ASSOCIATED PRESS

State school money may be prorated less than 9.4 per cent ordered by Gov. John Patterson if education revenues keep coming in at the current rate.

But the Revenue Department says at least three months' income must be in hand to spot a trend, and only two months of the state's fiscal year have passed.

The governor called for the cutback in state school spending, reckoning that 1960-61 tax collectors would run 5 per cent ahead of last year. They rose 7½ per cent in October and November.

However, to meet the legislature's school appropriations in full and eliminate the need for proration, education revenues would have to climb 14.8 per cent over last year.

November school tax receipts increased nearly 13 per cent over those for November 1959. The October boost had been only 2½ per cent.

The outlook is brighter primarily because income tax revenue picked up 24.42 per cent in November after falling 9.69 per cent the month before. Sales tax income last month rose only 2.73 per cent after an 11.73 per cent gain in October.

Main sources of state school money for the two months, amounts collected and percentages of increase or decrease:

Sales, $5,818,000, up 9.07 per cent;

Tobacco, $2,983,000, down 8.7 per cent;

Use, $2,238,000, up 39 per cent.

The gasoline tax, most productive source of state money for non-school purposes, climbed 12.78 per cent in November after slipping 6.99 per cent the month before. It produced $11,520,000 for the two months, an increase of 1.88 per cent.

## Alabama loses school fight

The Birmingham News

MEMPHIS, Tenn., Dec. 2—(AP)—Opposition from Louisiana and Alabama delegates has failed to block a proposal that Southern schools be accredited by systems rather than individually.

The controversial proposal now goes before next year's meeting in Miami of the Southern Assn. of Colleges and Secondary Schools. It is part of a series of recommended constitutional changes.

**The proposal presumably would lump white and Negro schools for accrediting purpose. It also involves elementary schools, for which accreditation is not now required.**

Opponents at the 65th annual meeting, which ended here yesterday, said that if just one school were not up to standard the entire system could be refused accreditation.

Named chairman of the new amendments committee was the Rt. Rev. J. E. Sturdi of Mobile, head of Roman Catholic parochial schools in Mobile and Birmingham.

## Token integration for schools in state opposed by Gallion

The Birmingham News

State Atty. Gen. MacDonald Gallion last night reiterated he is "strongly aopposed to any form" of token integration in Alabama.

Speaking on a statewide educational television network, Gallion said he believes that an overwhelming majority of Alabamians feel the same way.

**He referred to the present integration situation in New Orleans as a "great tragedy."**

Gallion pointed out that Alabama now has no integration of schools, and said one suit in Birmingham is pending in federal court.

Gallion explained two laws passed by the Alabama Legislature designed to head of fintegration attempts. They are the Pupil Placement and Independent School District Acts.

# Move To Integrate Huntsville Federal School On Ryan Agenda

Atlanta Daily World

Atlanta Journal

WASHINGTON — (UPI) — A spokesman for the Justice Department's Civil Rights Division said Wednesday some move would be made in 1960 to integrate an elementary school on federal government property in Huntsville, Ala.

The school is attended exclusively by children of military servicemen and federal employes working at the Army's Redstone Arsenal. An attempt to integrate the school would mark the first government effort to end segregation at an Alabama school.

14d(1)

The spokesman revealed the division's plans as Joseph M. F. Ryan, acting head of the division, served notice in a year-end report that the federal government "will take swift and vigorous action protect the rights of citizens" whenever the states failed to do so.

Ryan described as "most gratifying" the results of his division's effort during 1959 to protect Negro voting rights in the South. He ticked off the court tests he expected would give his division a green light for further action in this field.

The Huntsville school is only one of two schools on government property still segregated. The other is located at Dyess Air Force Base in Texas. A court test on integrating the Texas school is pending before the Texas State Supreme Court.

However, the division spokesman said he expected the Texas school to integrate next year without violence.

The division has not pressed the Huntsville issue because its attorneys are involved in several Supreme Court suits that must be argued next month.

But the spokesman said that once the court cases are argued and the Dyess school is resolved, the Huntsville school matter will be given top priority. At present the Huntsville case is under advisement in the Justice and Defense departments.

Gov. John Patterson of Alabama has threatened to close the school if an attempt is made to integrate it.

# Patterson Sees Private Education

The Talladega Daily Home

Talladega, Ala.

ATLANTA — Gov. John Patterson of Alabama said that if southern states expect to maintain segregation "we will have to be ready to sacrifice our public schools and turn to some form of private education."

Patterson, in an interview broadcast by an Atlanta radio station Thursday night, demanded that the federal government leave southern states alone with their public school segregation problems.

"We are doing our job over here. We want to be left alone to handle our domestic problems," the governor said in his interview with Aubrey Morris, news director of radio station WSB.

Patterson warned that forced integration of schools in Alabama and some other states would result in violence. He said the school where integration is attempted will be destroyed.

He said that Negroes in Alabama have no cause to seek entry into white schools.

"The average Negro teacher's salary in Alabama is at present higher than the white teacher's and the new 100-million-dollar school construction program goes equally to Negro and white schools," he said.

# New Schools Okayed For Andy's Negroes

The Andalusia Star-News

Andalusia, Ala.

## Buildings Planned For Both Northside And The Southside

Thurs. 1-7-60.

Two new negro schools are to be erected in Andalusia early in 1960 in an educational building program in which more than half a million dollars will be spent.

The building program has been made possible through an agreement reached between Andalusia City School authorities and the Covington Board of Education in a project that will place all negro pupils in the Andalusia city area under the jurisdiction of the Andalusia City School system.

Previously, all negro pupils in Andalusia have been attending schools operated by the Covington County Board of Education.

The agreement to shift the jurisdiction of the negro pupils in Andalusia, and negro high school students from throughout Covington County, to the Andalusia School System has been developed in a series of conferences that involved school officials of Andalusia, Covington County, Opp and Florala.

The new agreement is scheduled to become effective when the two new school buildings are completed.

A new negro high school, modern in all aspects, is to be built on a 17-acre plot, on Eighth Avenue Extension, owned by the City of Andalusia, near the new Pineview Public Housing project.

This building will comprise 14 class rooms, including a library, six elementary class rooms, a gymnasium, lunch room, kitchen, shop, band room and stage, locker rooms and rest rooms.

On the south side of Andalusia, a six class room building, with a multi-purpose cafeteria and auditorium, will be erected facing Whatley Street near the present Southside School. This building is to be located on a five to six acre plot.

The cost of the two buildings is expected to range between $400,000 and $500,000, including equipment. Covington County is to make available to the City of Andalusia certain equipment now available, but City Superintendent J. H. Johnson has announced that new desks will be acquired and the two negro schools will have facilities equal to those available to white children.

Attending the new high school, when completed, will be negro pupils in the city of Andalusia and negroes in grades ten through twelve from throughout Covington County.

Instruction will be offered in six elementary grades and three junior high school classes for Andalusia negroes, in addition to courses for the three senior high classes.

This school operation will replace the Ralph Bunche High School, now functioning under the jurisdiction of the Covington Board of Education. Ralph Bunche is the only high school for negroes in Covington County.

Andalusia negro children, of grammar school age, who reside on the south side of town, will attend the new Southside School that will be erected simultaneously with the new negro high-grammar school on the north side.

Supt. Johnson pointed out that during the next two years funds may be available to make certain improvements at the white schools in the Andalusia City System, but that the City Board of Education has voted to complete and furnish the negro school buildings before undertaking improvements in the white schools.

Under the terms of the city-county agreement, Andalusia will take over all instruction of negro pupils throughout Covington County in grades ten through twelve. Andalusia schools will also be responsible for the instruction of all pupils, both of grammar and high school age, who reside within the city limits of Andalusia.

State bond monies, due for pupils transferred from Covington County to Andalusia, will accrue to the City Board of Education under terms of the agreement.

Covington County is to furnish transportation for pupils living outside the city limits, in grades ten through twelve, to the new negro high school when it is completed. Covington County is to retain title to all school property that is now owned by the county. This includes the buildings and sites of the Ralph Bunche High School and the old Southside Negro School.

School authorities have announced that they intend to use the present facilities of both negro schools until the new buildings are completed. All of the activities in the transfer of school operations are to be coordinated through the Covington and Andalusia City Boards of Education.

# U.S. May Integrate Huntsville School

WASHINGTON (UPI)—A spokesman for the Justice department's civil rights division said Wednesday some move would be made in 1960 to integrate an elementary school on federal government property in Huntsville, Ala.

The school is attended exclusively by children of military servicemen and federal employes working at the Army's Redstone Arsenal. An attempt to integrate the school would mark the first government effort to end segregation at an Alabama school.

The spokesman revealed the division's plans as Joseph M. F. Ryan, acting head of the division, served notice in a year-end report that the federal government "will take swift and vigorous action to protect the rights of citizens" whenever the states failed to do so.

Ryan described as 'most gratifying" the results of his division's effort during 1959 to protect Negro voting rights in the South.

The Huntsville school is only one of two schools on government property still segregated. The other is located at Dyess Air Force Base in Texas. A court test on integrating the Texas school is now pending before the Texas State Supreme Court.

IN A LETTER to Sen. John J. Sparkman, Assistant Secretary of the Army Dewey Short states the Army position in unmistakable terms. Short, for many years a Republican member of the House, wrote in part:

"The responsibility for the operation of the Madison-Pike public school rests with the State of Alabama and the Huntsville City Board of Education."

# Move To Mix U. S. School In Huntsville, Ala.

WASHINGTON (UPI) — A spokesman for the Justice Department's civil rights division said some move would be made in 1960 to integrate an elementary school on federal government property in Huntsville, Ala.

The school is attended exclusively by children of military servicemen and federal employes working at the Army's famed Redstone Arsenal. An attempt to integrate the school would mark the first government effort to end segregation at an Alabama school.

The spokesman revealed the division's plans as Joseph M. F. Ryan, acting head of the division, served notice in a year-end report that the federal government "will take swift and vigorous action to protect the rights of citizens" whenever the states failed to do so.

# Army assures Huntsville on school mixing

BY JAMES FREE
News Washington correspondent

WASHINGTON, Jan. 8 — The Army has made it plain that it is leaving operation of the Madison-Pike Elementery School near Redstone Arsenal strictly up to the Huntsville authorities.

THERE HAVE BEEN periodic rumors that the Army or the Justice Department planned to take steps to force integration of the Huntsville school.

The department has not confirmed this, although Atty. Gen. William P. Rogers has said that something should be done to open the school to children of Negro families at Redstone.

# Editor Warns Educators On School Closing Power

By JOHN COOMBES

No man should have the power to close the public school system to prevent integration, a Florence newspaper editor warned a gathering of educators and education officials in Montgomery Friday.

Louis Eckl, editor of the Florence Times, gave his warning in a panel discussion at the Second Education Roundtable, sponsored by the Alabama Commitee For Better Schools, at the Whitley Hotel.

Eckl said he favored segregation but no one man should have the power to close the public school system to prevent integration.

"If we in Alabama are so cowardly as to let that happen then we deserve anything that comes," he said.

Eckl said he had attended Negro graduation ceremonies and noted the girls far outnumbered the men graduating.

He said that possibly the men knew that their opportunites would be limited.

"But if we are in a race with Russia we need to develop all sections of our population. And this starts in the schools," he said.

Eckl said segregation was being destroyed by its friends.

He said the Supreme Court did not outlaw zoning in education. "I think I understand the Supreme Court," he said.

Bufore Boone, publisher of The Tuscaloosa News, said there was dobut as to whether state legislators were leading or following the people in providing proper taxation to finance education.

Will Mickle, editor of The Huntsville Times said Alabama's education record was not good. He said money was voted for a minimum education program. The amount was less than half the national average provided for education support.

Dr. LeRoy Brown, superintendent of city schools, Anniston said the state schools had suffered from proration—partial payment of the education appropriations—for the last three years and it looked like the schools were not going to get all their money this year.

State Superintendent of Education Frank Stewart replied that the revenue picture for this year would be seen more clearly at the end of the month. He agreed things looked bleak for the schools but advised officials to be patient.

In other discussions, Dr. M. C. Huntley, dean of faculties at Auburn University, said his institution was spending about $100,000 a year to teach "high school" subjects, because students had been found to be deficient.

Dr. Frank Rose, University of Alabama, said to cope with the tidal wave of students who would be seeking admission, his university would have to have another $100 million worth of new buildings by 1970. To operate it would need an additional $30 million a year.

Dr. Howard Phillips, president of Alabama College, said college students in this state were bored and disillusioned in their freshman and sophomore years because they were better prepared than the college teaching they received in those years. He said some colleges were using graduate teachers to instruct through the freshmen and sophomore years whereas they should use their senior staff to infuse interest and maintain the enthusiasm of their new students.

# 4 Teachers Groups Join Cut Outcry

School teachers in three more counties and a city system have joined other Alabama teachers in declaring they will not take a salary cut under a scheduled state fund proration.

Teachers in the Ozark city system, Crenshaw, Tallapoosa and Chilton counties served notice this week that when the money runs out, then the school term ends.

A growing number of teachers throughout the state have strongly objected to a 30 per cent salary slash for the current period and have voted to walk out when funds are depleted.

In Ozark Thursday night, about 500 persons attended a Parent-Teacher Assn. meeting and were told by Supt. of Education Thomas Alexander that the city school system would face a $36,000 deficit if proration goes into effect.

The Ozark Teachers Assn. in a resolution declared it favored closing the schools when present salary scales aren't met and keeping them closed until present pay standards can be met.

The Chilton County Education Assn. voted unanimously in favor of a shortened term if proration goes into effect and also recommended the Alabama Education Assn. "be encouraged to set the same closing date for all public schools."

In Luverne, the Crenshaw County Teachers Assn. also unanimously adopted a resolution declaring teachers there will not participate in an stretch - out plan of operation for the total school program.

Tallapoosa County teachers without dissent favored school closing rather than reduced salaries.

# Integration Not Threat, Editors Say

By HERSCHEL CRIBB

Four leading Alabama editors, attending the annual convention of the Alabama Press Assn. here Thursday, said they don't think that Alabama schools will face any threat of integration in the near future. All four counselled a sane and calm approach to the problem.

James E. Mills, editor of the Birmingham Post-Herald, commented on Gov. John Patterson's reference to The Post-Herald's columnist John Temple Graves. In a recent column Graves said "token integration" would be preferable to closing the schools.

"Certainly I'm not for integration of the schools.

"But if the choice were between no schools and token integration —one or two Negroes—we should all take a new look at our hand."

SPOKE FOR MAJORITY

Mills said: "The governor no doubt spoke for the majority of Alabamians in Washington this week when he tried to prevent federal meddling in state elections."

Bonnie Hand, editor of the La-Fayette Sun, said "Closing the public schools is like abolishing the Constitution.

"I'm not an integrationist, but I'm a school board member in my county. I won't hate to face the prospect of closing our schools.

"I hope there is somebody smarter than me who can work this thing out. I don't know the solution, but I have hope," he said.

Bill Stewart, editor of the Monroe Journal, said there would be "no problem if radicals on both sides would leave it (the school problem) alone."

Stewart said he feels that there "will never be integrated schools in Alabama, as long as I live." If a serious threat of school closing should arise, he said he believed the people would initially be for closing the schools. But there would be a lot of afterthoughts and efforts to solve the matter."

J. C. Henderson, publisher of the Alexander City Outlook said "I would hate to see the schools close. But I don't believe it will ever get to that point."

He said he thinks the governor and the attorney general "can avoid a 'Little Rock'."

Henderson praised Gov. Patterson for "doing a great job for the schools."

He said white-Negro relations are mainly good in his town. He said communication between the races would help solve the school problem.

# It's Up To The Local Boards

The Birm News

TIME and debate have brought even less agreement as to how the state's school money crisis shall be met. State administration and educators remain at an impasse. The only "positive" course of action is that advanced by the teachers: "No money, no school."

The possibility that Alabama, with its biggest school appropriation in history, may suffer the penalties of a shortened 1959-60 school term has been heightened by formal endorsement by school administrators of teachers' determined stand against a "stretch out" of available funds for a full term.

Asking teachers to finance a full term out of their pockets is a request few are eager to make. Teachers have the full sympathy of the public in their reluctance to absorb the penalty of Alabama's shaky and unstable school financing structure. We would not expect such a sacrifice to be made by any other vocational or professional group.

PROFESSIONAL educators of Alabama now appear united against any plan by which they would absorb the financial deficit through a reduction in salaries for the last month or two of the nine-month school term.

Gov. Patterson, on the other hand, in his speech Friday to the Alabama Education Association made it clear that Alabama's local systems cannot look for a special session of the Legislature to create new school revenue sources. He told teachers he could see no sentiment in the state for levying new taxes to meet the current school crisis. We believe his estimate of sentiment is right.

Call the Legislature back into session and there wouldn't be time, as the governor says, to get action even if there were a general will to do so.

Call it into session in any event, after recent new tax legislation, and you would see one of the biggest Capitol Hill embroglios ever.

The governor, too, went on the record against action by the teachers bringing about a shortened school term, calling it "a big mistake that will not serve the cause of education." Certainly such action could backfire. Using "walkout" as a "force" could bring strong public reaction.

As the situation stands today, Alabama will experience the tragedy of a shortened school term unless the State Board of Education and the local school boards can come up with a formula for a full nine-month school term at no financial penalty to the teachers. The governor reports that school tax revenues are making a comeback from the Fall and Winter sag and voiced an expectation that income will soon reach the level anticipated when the Legislature fixed the 1959-60 education appropriation at $148 million.

The governor's suggestion that local school systems find means of borrowing against anticipated revenues for financing a full nine-month term is the only apparent course for insuring a full term for the systems largely dependent on state funds for school operations. Prediction has been made that 87 out of the state's 117 public school system will have exhausted their funds before the end of the term unless additional sources of revenue can be found.

Borrowing would, of course, mean that the loans would have to be repaid out of revenues allocated for next year's term. However, Gov. Patterson is confident that tax income will meet the $152 million appropriation for the 1960-61 term. Many teachers, however, will discount his optimism because of an already glaring faulty estimate.

Despite sincere efforts of the State Board of Education and local boards, some systems in Alabama may have to shut school doors early. Some school systems are so in debt at this time that borrowing more money is almost an impossibility.

After four years of proration, we can hope that the lack of wisdom in basing school appropriations and local budgets on the most optimistic of revenue expectations is becoming fully appreciated by both professional educators and the Legislature. Professional educators, through pressures exerted on the Legislature when appropriations are made, must assume some of the responsibility for the current embarrassment of our public school systems.

VIEWED OVER-ALL, the whole situation is a sorry mess for the state of Alabama to be saddled with and the more so because it smacks us right when we all had believed we had done so much in the way of meeting school needs.

Would shortening the school term as teachers propose to do—"if"—seriously threaten the accreditation of many of our schools?

You can wonder whether the teachers through use of "force," however disgruntled they may be, through use of a literal threat to stop teaching, are showing wisdom.

How much better impression on the whole state if they said: We don't like it, but we will do the job—as good teachers always have done—and assume the governor and the Legislature *will* find some way to make up the loss any of us may suffer.

If they walk out on this principle they expound—of doing it for youth now and in the future—the salary loss will be gone forever. The nature of the situation is such, today, that organized pressure will only bring more resistance. The Legislature rebels at threat. The governor is stubborn.

School leaders may be making a woeful mistake however heated up they now are over their crusade.

# Court upholds state's school placement act

Birmingham News

Alabama's School Placement Law today survived the first legal attack on its application.

Circuit Judge William A. Jenkins upheld the Birmingham Board of Education placement of a student in the school of its choice.

**In declaring the Placement Law "constitutional on its face," the U. S. Supreme Court noted that its application could conceivably be unconstitutional.**

Mr. and Mrs. Charles E. Dugger of 4021 29th-pl, n, claimed that the Board of Education violated the constitutional rights of their 6-year-old daughter, Donna Carol, in assigning her to Fairmont School instead of North Birmingham School.

THE PARENTS claimed that since an older child had graduated from the North Birmingham School and that another is in school there at the present time, the family was inconvenienced in several ways by the assignment of Donna Carol to Fairmont.

**The school board contended that all first graders in the area where the Duggers live were assigned to Fairmont to maintain the student body balance of both schools.**

Judge Jenkins said that the action did not deny the constitutional rights of the child.

He considered the case on facts admitted by both the parents and the school board.

# House Approves $1.3 Billion For Non-Segregated Schools

Birmingham Post-Herald p. 1

By ALBERT RILEY
Constitution Washington Bureau

WASHINGTON—The House passed, 206 to 189, at $1.3 billion school construction bill with an anti-segregation provisio Thursday.

However, the ultimate fate of the bill, and particularly the Powell amendment banning racial discrimination in the use of the funds, is in doubt.

It would have to be agreed to by the Senate, which has passed a different version of the federal aid to education bill.

Southerners in the Senate would years to the states for school surely wage an all out fight construction.
against agreement with the House version, something the Democratic and Republican leadership would want to avoid so near to the national political conventions.

Over Dixie opposition the House first adopted the racial amendment by Rep. Adm. Clayton Powell (D-NY), which in previous years has spelled defeat for school aid, and then approved the bill on a 226-to-177 test vote.

Then came the final passage on a 206-to-189 roll call to provide federal assistance in the amount of $325,000,000 a year for four

The states will have to match the money.

the federal funds and Southern states apparently would have to desegregate to be eligible for the aid.

Powell's amendment states that the funds "shall be available to students without regard to creed, color, national origin or religion, in accordance with the decision of the Supreme Court."

Inclusion of this amendment by the controversial Negro congressman from Harlem means that between seven Georgia (allocated between seven dollars a year) and eight million dollar states holding out against public school integration probably would get none of

Request called premature—

# Commission refuses plea of school board

BY BUD GORDON, News staff writer

City Commission today refused to "guarantee" the City Board of Education sufficient funds to keep schools open the remainder of the school term.

"It seems to me," Mayor James W. Morgan told the school board, "you have called this meeting at least a month early. I'm not guaranteeing you a thing at this time."

Morgan's statement came at the end of an early morning meeting at City Hall, attended by members of the school board, Dr. Theo Wright, school superintendent, City Comptroller Grady Fullerton and city commissioners.

All three commissioners agreed to work with the board in every possible way to keep the schools open, and the board was told the commission would stand ready to meet again if a crisis really threatened Birmingham's schools.

THE SCHOOL BOARD, armed with a financial statement for the 1959-60 school term, appeared before the commission to see if the city would make up a projected $1,172,833 deficit at the end of the term.

**"There has already been a pickup in state revenue," Morgan told the board, "and it seems you may be hollering 'bugger' before the 'bugger' is here. You don't know what shape you will be in at the end of your fiscal year, and you don't know when the real crisis will hit."**

Wright and Art Hanes, school board chairman, explained the school system is faced with the posibilty of serious deficit because of the pro-ration of school funds by the state.

"THE LAST TIME the board needed money," Morgan said, "the city appropriated $200,000 to help out.

**"A few months later, Hugh Sparrow (Birmingham News reporter) dug into school records and found a big surplus. Even so, the city never got the $200,000 back.**

"If it's a loan you want, you can go to the bank and secure a loan on the basis of anticipated revenue."

"We can't do that, Hanes interrupted, "because the law prohibits us from borrowing except on anticipated funds for the current year."

Hanes went on to say the board is faced with a serious problem which could possibly result in closing the schools early.

"I WANT TO KNOW," Commissioner J. T. Waggoner asked, "if you are really considering closing the schools?"

"Of course we have," answered Wright. "We have considered every possible way to meet this crisis. You can't operate schools without money."

**Morgan said he felt the board could meet the crisis by "tightening its belt a litlte more."**

**"I'm ashamed of you," Wright said, "for making such a statement."**

"We didn't come up here to quibble," Hanes said.

Commissioner Eugene Connor interrupted at this point, saying:

"All this talk is wasting time. We are not going to close the schools. No one in this room or in this city would sit back and see the schools in Alabama's largest city close because they need money.

WAGGONER POINTED out to the board that the financial statement they brought to the meeting did not show any special funds which might be used in a real crisis.

"Sure we have special funds," Wright said, "but they are earmarked for special use. Still, we would use them before we closed the schools."

**Waggoner suggested the board prepare another financial statement and include "all funds" of the school system. He said such a statement should contain earmarked funds and bank balances.**

"If we do this," Hanes asked, "if we prepared a complete statement, use every method we can to continue operation including borrowing from the bank, and still get in trouble—can we again appear before the commission to ask for help?"

"If you don't holler 'wolf' before the wolf is at your door," Morgan said, "you will always find the city ready to help."

# Compromise Bill Reached For Schools

WASHINGTON (AP)—An unofficial agreement was reported to have been reached Monday in secret Senate-House conferences on a compromise school construction bill. The compromise version would lack an antisegregation provision adopted last week by the House.

Backers of the legislation hope their assurances that the touchy segregation issue has been disposed of will get the bill past Southern opposition in the House Rules Committee.

The bill has been regarded as in serious trouble since the House accepted an amendment by Rep. Adam Clayton Powell (D-NY) providing that schools built with federal funds must be integrated.

**BLOCKED APPROVAL**

The amendment blocked quick Senate approval of the House's four-year $1,300,000,000 bill and also threatens to hold up House approval of a formal conference between the two bodies to agree on a bill.

But a key figure in the House fight for congressional approval of a school bill said Monday informal conferences have already settled the problem. Not a single conferee on either side would vote to retain the Powell amendment, he said.

On other points in conflict it is regarded as likely the Senate would drop a provision in its $1,800,000,000 bill that funds could be used for teachers' salaries as well as for construction, and the House would accept the Senate's formula for allocating funds on the basis of need.

If integration ordered—

# Private schools seen as answer

BY AL STANTON, News staff writer

MONTGOMERY, Ala., May 28—Alabama could set up private school systems with little trouble, if the courts order public systems integrated, two state officials believe.

The feasibility of large-scale private schooling to resist integration has been demonstrated in Virginia, they said.

Alabama Public Service Commissioner Ralph Smith Jr. and Robert P. Bradley, legal adviser to Gov. John Patterson, studied the school situation in Virginia.

From their study may come new standby legislation to allow swift conversion to private schools in Alabama systems ordered to integrate.

GOV. PATTERSON said, "This study will enable us to be better prepared if we ever are confronted with an integration crisis in our public schools."

**He has asked the lawyers to determine the "willingness of communities to abandon public schools in the face of integration and what legislation is needed to carry out such a plan."**

Smith, former legal adviser to Gov. Patterson, said Virginia private schools apparently "have the wholehearted support of white citizens."

Bradley said, "They convinced me private schools are the answer."

BOTH SAID the state probably should consider some sort of law similar to one in Virginia allowing state grants to individual families to provide private schooling.

**Virginia also provides property tax deductions in individual cases where the state grant is not enough to pay tuition of children.**

Virginia, however, relies heavily on property taxes to support schools, whereas Alabama schools are suported chiefly from sales and income taxes.

Smith said a half-dozen or so Virginia counties have organized private schools where public schools have been integrated.

BRADLEY SAID schools are being built by private school corporations with bond financing.

There apparently has been little trouble with this type of private financing.

"They told us they have been successful in disposing of them," Bradley said.

**Smith said the bonds are similar to municipal industrial development bonds in Alabama, where companies and individuals subscribe to bonds to build facilities for new industries.**

The private schools are fully accredited, Bradley said, although some so-called "frills" have been eliminated.

Teacher pay is the same in private schools as in the public systems, he said.

SMITH SAID Virginia's private schools were delayed mainly because the state was unprepared with proper legislation.

"Not being ready cost Virginia an entire year of schooling in some areas," he said.

**He strongly suggested that Alabama consider additional legislation for private school systems.**

The 1959 Legislature enacted a law to allow the state to provide public funds for private schools.

Gov. Patterson vetoed as unwise a bill which would have provided public funds to individuals wishing to attend private schools. He contended the measure allowed too wide a latitude.

# Token Integration Harmless?

Is it possible that there are some people who really believe that "token" integration is practically harmless? Do they not realize that there is no such thing as "token" integration—any more than there is such a thing as "token" leprosy? Each is as dangerous to the welfare of people as the other. Measures must be definite, and positive and certain. We must be sure that "certain Southeastern states," as mentioned by a recent writer to your column, must continue to resist this terrible decree by our sociological Supreme Court, to the utmost.

We must not let ourselves be misled by the same heresy as was the guide of the Supreme Court when some foreign crackpot wrote a book on sociology. That our Supreme Court should have taken the witless prating in this book as their guide, rather than the unmistakable dictates of our own Constitution, denotes how lacking in judicial judgment these politicians who comprise our Supreme Court age.

Mature men and women who have no ax to grind realize the seriousness of the situation and are gravely concerned that we have a group of men who can set themselves up as dictators, and ride rough shod over the sane decision of several Supreme Courts which preceded them.

It is not the Negro who is being made the guinea pig. Our unesteemed Supreme Court is trying to make "YOU" the guinea pig, along with my children and their children's children. Wake up, all you young people, and stop listening to the poison that is being broadcast by those who would ruin the white race forever, and all for their own personal and present gain. I hope that youngsters will look farther to the future than some of our leaders evidently are.

7419 Paris Avenue. L. E. NEWMAN.

## City joins in push—

# Legislature urged to return, solve crisis in schools

BY DANE HARRIS, News staff writer

Birmingham's Board of Education today joined with State Sen. Woodrow Roberts of Fayette and others in asking Gov. John Patterson to call a special session of the Legislature to help meet the school financial crisis.

This action was taken after board members expressed the opinion that a special session would provide the only solution to the problem short of closing schools before the end of the regular term.

SEN. ROBERTS CALLED for a special session for the lawmakers to consider levying an additional 1-cent sales tax "to keep our schools from closing."

ROBERTS

Roberts, member of the Senate education committee, pointed out the Lackey-Edwards study commission had recommended adding 1 penny to the 3-cent state sales levy as part of a package to help solve school financial problems.

**Dr. Theo Wright, city school superintendent, said he didn't want to give the impression now that the schools here would be closed, if the city doesn't get an estimated $800,000 it would lose under the 10 per cent proration ordered by Gov. Patterson.**

"But we must face realities," said Dr. Wright.

SEN. ROBERTS said bluntly that the schools in his senatorial district, which includes Fayette, Lamar and Walker Counties, "are going to close unless we can give them financial aid."

The Fayette senator, who last year urged the Legislature to adopt the study commission's recommendations, said "some of the smartest and best educated people in Alabama recommended that we levy an additional 1-cent sales tax, along with other recommendations."

He referred to the fact that business and industrial leaders, educators, labor leaders, professional men and others served on the Alabama Education Commission, which made the study.

DR. WRIGHT explained that the $800,000 that would be lopped off Birmingham's school appropriations by the proration order would make a total of $2 million cut by proration from state funds appropriated to the city school system in the last four years.

"We can't cushion an $800,000 blow," he said. "There's no place to cut."

**Wright pointed out that contracts with teachers requires the city board to pay prescribed salaries until funds are depleted, then close the schools. He added he felt this was a moral obligation to the teachers, even if they had no contracts.**

WRIGHT SAID CLOSING the schools early would have two major effects.

1. It could mean that the system would be penalized on next year's minimum program fund allotment. These funds are allotted on a student attendance basis. Therefore, reduced attendance would mean less money.

**2. It might mean loss of accreditation by the Southern Assn. of Colleges and Secondary Schools, if the system falls below the 175-day school year required by the association. This might mean that graduates of city high schools would have difficulty in entering many colleges and universities.**

**"If we're going to cut off school funds and cut teachers' salaries, why shouldn't we ask the other departments of state government to take a pay cut, too?" asked the senator.**

Sen. Roberts, in urging the increase in the sales levy for public education, declared "It's the only way that Negroes will be required to pay anything like a fair share of school taxes."

THE CALL FOR an immediate special session came as Gov. Patterson prepared to begin a series of dinner huddles with members of the Legislature at the governor's mansion. The first of these will be tonight.

Gov. Patterson, who has said he is considering calling a special session to consider legislative reapportionment, also will discuss the school situation with the lawmakers.

GOV. PATTERSON, making his first public speech last night at Haleyville since the school proration crisis developed, voiced optimism that relief may come "in the next few weeks."

School officials in some municipalities and counties say that teachers will walk out, rather than take a salary cut.

**But those of other areas say their schools will continue to operate.**

It was reported that the entire teaching staffs of Elmore County's 14 schools would quit, rather than have their pay reduced.

And teachers generally, faced with the threat of slashed salaries are demanding a shorter school term instead of seeing funds stretched out at the expense of their paychecks.

# Calm Montgomery Mixing Hopes Of Negro Leader

ATLANTA, Ga. (AP)—A Negro integration leader said Wednesday he is "gravely concerned" whether integration can be accomplished peaceably in Montgomery.

In a taped interview with Atlanta radio newsman Aubrey Morris, the Rev. Solomon S. Seay said he hopes "to avoid conditions that could arise to violence. However, we will be resolute and determined in our efforts to integrate the schools."

Seay, spokesman for the Montgomery Improvement Assn., added: "Maybe we'll have to go to court once our young people make their application to the (white) schools and are refused."

Bruce Wyatt, Montgomery contractor and immediate past president of the pro-white Montgomery Citizens Council, said maintaining segregation is the governor's responsibility.

"The people of the state are dependent on our governor (John Patterson)," Wyatt said. "He was elected on that platform and says there will be no integration in his administration."

# Fire Destroys Negro School In Camp Hill

By LILLIAN REYNOLDS
Advertiser Correspondent

CAMP HILL—Fire destroyed the Edward Bell Elementary School here Thursday night. The loss was estimated at $150,000 by Tallapoosa County Supt. of Education Woodrow Weldon, Dadeville.

Classes for the 365 Negro students will be suspended for a few days until housing arrangements can be made, Weldon said.

Firemen said the blaze started in the rear of the frame building, apparently from a defective flue, and quickly spread throughout the structure. The building was heated by coal-burning stoves in each room.

Among equipment lost in the fire were a new science laboratory and new chairs for first grade students. The only items saved were a television set and a few books and chairs.

Grades one through six were housed in the building.

The fire, when discovered at 6 p.m., was too far advanced to be controlled, firemen said. Of the loss, $20,000 was covered by insurance, Weldon said.

# Federal Aid To Macon Schools Assures Full Term, Pruitt States

Federal aid to local education-al systems is always welcome, but the one received by the Macon County Board of Education this week was a windfall. It means the difference between keeping the schools of Macon County open or having to close them if no relief is forthcoming from other sources", said Superintendent C. A. Pruitt.

Mr. Pruitt was informed of the financial assistance by wire last week. The funds for this county amount to $54,355 and they are provided pursuant to public law 815, which provides financial assistance for school in federally affected areas.

The counties in this state who benefit most from this aid program are Mobile, Huntsville and Montgomery because of the extensive military projects located there. Location here of the Veteran's Administration hospital affects to a large degree the amount of funds received in Macon County.

The following telegram informed The News of the payment was co-signed by Lister Hill, John Sparkman and George W. Andrews. "Happy to advise Commissioner of Education has certified for immediate payment to Macon County Board of Education federal funds in amount of $54,355, pursuant to public law 815, providing financial assistance for schools in federally affected areas."

Mr. Pruitt said that the federal auditor here this week to audit books in connection with the aid, stated that Macon had one of the best kept sets of books he had ever seen. He especially commended the work of Miss Jessie Cox, book-keeper in the office for many years.

## Governor John Patterson Warns That Political Pressures Are Hurting Education In Alabam

BIRMINGHAM (AP) — Gov. John Patterson told 5,000 teachers and school officials that a campaign of political pressure over proration is threatening to break up the state government team that pushed throught record school money bills this year.

Addressing a meeting of the Alabama Education Assn., Patterson said he believed the campaign was "engendered by leaders of education in the state." He said the campaign has "gotten out of hand in some cases. It's caused political injury to some—I'm one, and so are some members of the Legislature who have helped you."

He said the campaign threatened to break up the team of administration and legislative forces that fought for increased school money this year.

"And it will be hard to get them back together," Patterson said.

Patterson's remarks touched on a subject brought up in a fiery speech by State Revenue Commissioner Harry Haden before a group of school administrators oh Wednesday.

Haden said the furor over cutting teacher salaries was whipped up by superintendents who want a one-cent sales tax increase. He was criticized for the remarks.

The governor has recommended a 10 per cent reduction in school spending because expected revenue has failed to produce funds the Legislature appropriated for schools.

Patterson has told the teachers they will simply have to tighten their belts and absorb the pay cuts.

The state school board has taken no action, and many teachers have threatened to resign if their pay is cut.

The president of the Alabama Congress of Parents and Teachers Thursday night told the AEA that the PTA favors closing the schools if funds run out.

W. H. Kimbrough, Piedmont, Ala., the AEA president earlier said the teachers favor closing the schools when money runs out, rather than to absorb the fund slashing themselves.

## Patterson says schools closing will be probed

BY ALLISON STANTON
News staff writer

MONTGOMERY, Ala., March 2—Gov. John Patterson today warned he will oppose letting any school close early this year without a thorough investigation of that school system's financial affairs.

He said budget officers might find ways to keep such schools open.

**The governor at a formal press conference said he may try again to push through his amended school budget at tomorrow's meeting of the State Board of Education.**

HE WAS rebuffed by a seven-to-four vote three weeks ago on a resolution cutting back school funds 10 per cent to bring spending in line with this year's anticipated revenue.

Some school systems have announced they can't operate the full nine months on the reduced state allotment. Teachers in many cases have voted to walk out as soon as their pay is cut.

**The governor pointed out that systems that cut school terms short must have approval by the state school board if they are to receive any state funds for the remainder of the year.**

PATTERSON SAID if the school board does vote to let some schools close early "they should vote specifically on each school."

The governor, who is chairman of the state school board, declared, "I won't vote to let schools close unless I know what that school is and send budget officers there to see what is being done with state funds.

**"We are charged here," he continued, "with scraping up money for schools and we do not know what happens to it when we pass it on."**

"I THINK YOU will find very few school systems that can't pay full salaries and operate the full nine months," the governor predicted.

The governor said school revenues thus far in March are even better than they were in February, when tax collections were less than $250,000 under expectations.

"The outlook is not as gloomy as a lot of people try to paint it," he added.

**He pointed out that his budget resolution which he may offer again tomorrow provides that any excess revenue coming in this year would go for teacher salaries.**

None would go for maintenance or other expenses which also have been prorated, he said.

# Plans Mapped For Handling Mixing Try

School officials and law enforcement authorities withheld comment Friday on the outcome of a conference to discuss possible integration attempts at Montgomery schools.

Plans for handling any incident that might arise when schools reopen Sept. 6 were drawn up at the unannounced meeting Thursday, attended by city, county and state officials.

The conference preceded a meeting of the city-county Board of Education, but the integration question was not brought to the attention of board members.

**NO DISCUSSION**

One member said Friday the board has followed a policy for the past three years of refraining from discussing that issue at regular meetings.

Supt. Walter McKee declined to confirm or deny that such a policy exists. Neither would he say whether he discussed the possibility of an integration attempt during a meeting of school principals this morning.

Attending the conference Thursday, the Associated Press learned, were McKee; Associate Supt. William S. Garrett; Circuit Solicitor William F. Thetford; State Public Safety Director Floyd Mann; Sheriff Mac Sim Butler; City Police Commissioner L. B. Sullivan; Police Chief G. J. Ruppenthal and State Sen. Vaughan Hill Robison, the school board attorney.

**NEGRO REQUEST**

Negro leaders formally requested the board more than a year ago to submit a voluntary school desegregation plan, but no board action has been announced.

More recently, the Rev. Ralph D. Abernathy, president of the pro-integration Montgomery Improvement Assn., renewed the threat to seek forced inregration, through court action, unless the board acts voluntarily.

Twenty-three Negroes tried to enroll at a newly opened grammar school on Sept. 2, 1954, but no actual integration attempt has occurred in Montgomery since then.

The Negro children who sought to attend the Harrison School were told they lived in another school district.

# Church to open its own school in Selma

SELMA, Ala., Aug. 27—A new church school, St. Paul's Episcopal School, has been added to Selma's educational facilities. It will open Sept. 7.

Plans for the inter-denominational school had been in the making two years. Plans were publicly announced last October.

**Classes will begin in the pre-kindergarten, kindergarten and first grades. Each class will be closed when its limit of 20 is reached.**

In addition to the usual instructional materials, the school will feature audio-visual aids, a reading and record library and a thorough testing program. Courses will include French, art, music and speech.

THE SCHOOL will be located in a remodeled historical home directly across the street from the church. Its curriculum is to be modeled after the highly-regarded Gadsden Episcopal Day School.

The Selma school will be non-profit. Extra funds will be used for future expansion.

**Plans call for additional classes as the school grows.**

Director of the school will be the Rev. T. Frank Mathews, rector of St. Paul's Episcopal Church. He will be assisted by Mrs. Roswell Falkenberry, associate director; Mrs. Will G. Hudson, registrar; Mrs. Louise Gould, first grade; Mrs. Jefferson G. Ratcliffe, kindergarten; Mrs. T. Frank Mathews, art; Mrs. John P. Furniss, French; Mrs. Kolbe Curtice, music, and Mrs. Falkenberry, speech.

# State Authorities Mum On Anti-Mixing Meeting

MONTGOMERY, Aug. 19 (AP)—School officials and law enforcement authorities withheld comment today on the outcome of a conference to discuss possible integration attempts at Montgomery schools.

Plans for handling any incident that might arise when schools reopen Sept. 6 were drawn up at the unannounced meeting yesterday, attended by city, county and state officials.

The conference preceded a meeting of the City-County Board of Education, but the integration question was not brought to the attention of board members.

One member said today the board has followed a policy for the past three years of refraining from discussing that issue at regular meetings.

**'No Comment'**

Supt. Walter McKee declined to confirm or deny that such a policy exists. Neither would he say whether he discussed the possibility of an integration attempt during a meeting of school principals this morning.

Attending the conference yesterday, the Associated Press learned, were McKee; his assistant, William S. Garrett; Circuit Solicitor William F. Thetford; State Public Safety Director Floyd Mann; Sheriff Mac Sim Butler; City Police Commissioner L. B. Sullivan; Police Chief G. J. Ruppenthal and State Sen. Vaughan Hill Robison, the school board attorney.

**No Action Seen**

Negro leaders formally requested the board more than a year ago to submit a voluntary school desegregation plan, but no board action has been announced.

More recently, the Rev. Ralph D. Abernathy, president of the pro-integration Montgomery Improvement Assn., renewed the threat to seek forced integration, through court action, unless the board acts voluntarily.

Twenty-three Negroes tried to enroll at a newly opened grammar school on Sept. 2, 1954, but no actual integration attempt has occurred in Montgomery since then.

The Negro children who sought to attend the Harrison School were told they lived in another school district.

# No mixing here, Connor warns Nixon

Safety Commissioner Eugene Connor today challenged Vice President Richard M. Nixon for a statement during his Birmingham visit that "some of the schools would be integrated here" during Nixon's administration, if he is elected president.

"NOW THAT all the hullabaloo connected with Vice President Nixon's visit to Birmingham is over, I want to challenge statements made by Mr. Nixon while he was here," said Commissioner Connor, who is Alabama's Democratic national committeeman.

"First, Mr. Nixon said here that he advocates more local self-government," added Connor. "Fine. Everybody in Alabama is for that.

**"Second, just before Mr. Nixon left town he made a statement which was headlined 'Nixon promises integration here.'**

"I don't know just what all Tricky-Dick Nixon has planned for us here in Birmingham, but I want to say this:

"There won't be any racial mixing in our Birmingham schools while I'm police commissioner."

CONNOR ADDED that "the (Eisenhower) administration which Mr. Nixon is now a part of sent paratroopers with bayonets to force integration in the Little Rock schools.

"If Mr. Nixon has that in mind for Birmingham and Alabama, he had better send troops with tanks, because the people of Alabama are not going to stand for it."

# School plans, sketches OK'd by City Board

By DAN RODEN
News staff writer

Working plans for additions to six Birmingham schools, and preliminary architects' sketches for additions at four other schools, were approved today by City Board of Education.

At the same meeting, the board awarded a $216,278 contract to Robins Engineering Co. for construction of the new Donald Comer Elementary School.

**The Comer School will be located on a 13-acre plot, bordered by 50th-st and 12th-av, s. Total cost, including equipment, will be about $250,000.**

Working drawings approved included:

North Roebuck addition—nine classrooms, two restrooms, conference room. Warren, Knight & Davis.

JACKSON addition—four classrooms, two restrooms. Allen Bartlett, architect.

**Smith addition—seven classrooms, gym, two restrooms, and office on first floor; six classrooms, two restrooms and conference room on second floor. Pembleton & Mims, architects.**

Christian (new white school at Valley-dr and Walnut-av in Roebuck Manor)—six primary classrooms, each with toilet, lavatory and water fountain; nine regular classrooms, gym, lunchroom, kitchen, office and two restrooms. Evan M. Terry, architect.

Wilkerson addition—nine classrooms, two restrooms. Terry, architect.

GREEN ACRES addition—seven classrooms, two restrooms. Terry, architect.

Preliminary sketches were approved for these projects:

**Banks High—kitchen, cafeteria, four classrooms and two restrooms on ground floor; auditorium, stage, four classrooms, offices and two restrooms on main floor; auditorium balcony, library and two restrooms on upper level. Warren, Knight & Davis, architects. This will release six classrooms now used as lunchroom, library and office.**

Tuggle addition—seven classrooms, two restrooms. Warren, Knight & Davis.

WEST END HIGH addition—science classroom wing with nine classrooms and three restrooms. Present gym floor enlarged with facilities for girls' physical education (showers and lockers). Warren, Knight & Davis.

Sears addition—four classrooms and office.

In other action today, the board named the new Negro school opening next month in the Avondale redevelopment area, the "John Tuggle Whatley" School. Whatley, a Negro teacher for 43 years in the Birmingham system, has taught printing, band and music. He is now head of the vocational department at Parker High.

# Russell School Trustee Hits Pupil Assignments

PHENIX CITY (Special) — A Fort Mitchell school trustee Friday threatened court action and efforts toward a recall election after a ruling on pupil assignments by the Russell County School Board.

W. W. (Zeke) Calhoun, defeated candidate for the U.S. Senate in the May primary, charged the school board with "arbitrary and discriminatory" use of tax money towards certain pupils.

His attack was based on a decision by the board this week to provide transportation to Phenix City's Central High School only to high school students living inside the city's three-mile police jurisdiction and to students in the county who will graduate in the next school year.

Calhoun, a spokesman for a group in Fort Mitchell and Sunderland, said this discriminated against other students in the county that had attended schools in Phenix City.

He had earlier protested when the school board acted to provide bus service from Fort Mitchell to Seale but not from Fort Mitchell to Phenix City.

## CONSTRUCTION FUNDS RELEASED

# $50 Million Allocated For Schools

The Alabama Education Authority Wednesday completed the arduous task of allocating a record $50 million for school construction in the state.

At the end of the two-day session a total of $47.5 million had been allocated — $35.5 to public schools and $12 million to colleges.

The remaining $2.5 million has been set aside for those schools which did not need their full amount at this time.

The allocations made Tuesday and Wednesday, coupled with the bond money released in April, brought to $66 million the amount of state funds released for school construction in every county in Alabama.

**BOND ISSUE**

The funds were made possible by a $100 million bond issue passed by the 1959 Legislature. Yet to be sold are $30 million of these bonds.

Having disposed of colleges Tuesday, along with school systems in 35 counties, the authority whipped through the remaining 32 counties Wednesday without any difficulty.

Here are the allotments made to the county and city school systems (first figure is the amount of outright grant, second figure is amount of funds granted which must be matched dollar - for - dollar with local funds):

**Lamar**—$218,114 and $48,368.

**Lauderdale**—County system $367,322 and $107,296; Florence city system $191,729 and $79,676.

**Lawrence** — $139,322 and $85,142.

**Lee**—County system $140,339 and $85,546; Opelika city system $136,493 and $95,367.

**Limestone** — County system $191,236 and $94,625; Athens city system $101,622 and $26,876.

**Lowndes** — $152,889 and no matching funds.

**Macon** — $173,662 and $12,777.

**Madison**—County system $276,640 and $132,962; Huntsville city system $587,147 and $186,863.

**Marengo** — $160,302 and $79,789.

**Marion**—County system $73,595 and $69,523; Winfield city system $62,367 and $14,724.

**Marshall** — $359,514 and $150,516.

**Mobile** — $2,253,024 and $833,165.

**Monroe**—$241,207 and $88,760.

**Montgomery**—$1,071,552 and no matching funds (see separate story).

**Morgan**—County system $244,146 and $37,346; Decatur city system $263,664 and $76,441.

**Perry**—$239,039 and $64,147.

**Pickens**—$350,894 and $82,080.

**Pike**—County system $133,001 and $59,129; Troy city system $78,461 and $33,049.

**Randolph** — County system $176,531 and $52,373; Roanoke city system held in reserve.

**Russell**—County system $229,287 and $63,727; Phenix City system $303,769 and $84,543.

**St. Clair**—$142,774 and $86,262.

**Shelby**—$231,154 and $103,312.

**Sumter**—$286,120 and $85,922.

**Talladega** — County system $266,740 and $137,983; Sylacauga city ssytem $127,426 and $38,645; Talladega city system $170,926 and $16,000.

**Tallapoosa** — County system $119,725 and $63,815; Alexander City system $173,827 and $18,121.

**Tuscaloosa** — County system $402,394 and $143,348; Tuscaloosa city system $470,018 and $102,797.

**Walker**—County system $496,361 and $148,421; Carbon Hill city system $53,838 and no matching funds; Jasper $68,224 and $20,048.

**Washington**—$235,196 and $53,435.

**Wilcox**—$307,826 and $46,000.

**Winston** — $209,000 and $53,940 in matching subject to approval of special tax election next week.

# Cut In Revenue Is Under Attack

## Montgomery School Leader Says School Term Is Threatened

By United Press International

MONTGOMERY, Ala., Oct. 6. School Superintendent Frank R. Stewart said Thursday, "I don't see how we can keep going" when the 9.4 per cent slash in classroom funds was announced by the Governors' office.

Questioned closely whether public schools could operate nine months again this year, Mr. Stewart replied more could be told about that when local boards send in their financial statements for the fiscal year which ended last Friday.

"My feeling is a large majority wound up with a tremendous deficit," Mr. Stewart said. "Banks are limited by law in the amount they can lend to school boards."

After last year's cutback, many schools had to borrow heavily to keep going for a full term.

Mr. Stewart explained the 1960-61 appropriation to the minimum education fund, from which elementary and high schools receive their state money, is about 105.5 million dollars. He said teacher salaries alone cost schools $97,015,642.

He said the new proration order means the state appropriation will be cut to $95,583,000, or less than the amount needed for teacher salaries alone.

The school director said last year schools got nothing for current expenses such as upkeep of the school plant, heat, electricity and janitorial services.

The alternatives are, Mr. Stewart said:

Additional revenue.

A slash in teacher salaries.

Shorter school terms.

Harry Cook, the governor's press secretary, announced the 9.4 per cent proration early Thursday, saying Governor Patterson did not believe tax collections would meet the amount appropriated by an over-optimistic legislature last year.

It is the fifth consecutive year in which a cutback has been ordered to keep school expenses within expected revenue.

Governor Patterson said taxes earmarked for education during the present fiscal year would produce an estimated $152,159,000 while the legislature appropriated $155,324,451 for the 12-month period.

Of the total appropriated for the 1960-61 fiscal year, the Governor said 15.3 million is exempt from proration because it goes for payment of school debts and other fixed charges. This leaves $126,847,800 subject to the new slash.

Governor Patterson emphasized schools will still get some 7 million dollars more than they did in the preceding year and $27 million more than they got two years ago.

The cutback does not necessarily mean a pay cut for teachers. The State Board of Education already has eliminated a scheduled five per cent raise from the current year's budget.

# PATTERSON BALKS AT TEACHER FUNDS

By GROVER C. HALL JR.
Editor, The Montgomery Advertiser
Special to The Atlanta Journal-Constitution

MONTGOMERY, Ala., March 19 — The race strife tornado having swirled out of Alabama into Atlanta, Orangeburg and Tallahassee, Alabamians wearily looked to a local storm over the unmet teacher payroll.

Gov. John Patterson has said over and over that when the first Negro pupil entered the first white school astride the federal battering ram, that school would be closed although this presumably would lead to a closing of all schools.

ALABAMA

That time will surely come, but meanwhile the young governor is getting a major lesson in what it means to have schools closed—for the homely reason of money shortage. Patterson is getting letters at the rate of 1,500 a day imploring him to take action to spare teachers from a salary cut.

Many of the letters came from schoolchildren and were obviously inspired by teachers. One lad wrote His Excellency: "We don't want to stay at home and play with our neighbors. We want to learn more and more."

No group in Alabama can bring to bear more pressure than the Alabama Education Assn. and probably never has it been more unsparing than in its pressure on the governor to convene a special session of the Legislature to provide the additional $13,500,000 required to avert a temporary salary cut. From throughout the state come hints and threats that teachers will take a walk before taking a cut.

Probably this would not happen in any event, but the tumult is unnerving and there is, of course, general sympathy for teachers who were promised what they are not getting.

Gov. Patterson does not want a special session of the Legislature on his hands, though so far he is saying it indirectly. Under his leadership, the 1959 Legislature made record increases in school taxes, but the flow therefrom has been less than estimated due to the steel strike and other special circumstances.

Thus it is believed that the tax flow will catch up with the first estimates in time. But meanwhile, the state needs $13,500,000 right this minute to pay teachers what they were promised.

A hero to school people last year when he wadded the record school increases through the Legislature, Patterson now stands to become a villain with the bewildering velocity that is common to public life.

Gov. Patterson

## Alabama Teachers Urged To Accept A Cut In Salary

BIRMINGHAM, Ala. — (UPI)— Gov. John Patterson urged Alabama schoolteachers Friday to accept a 10 per cent salary cut to ease a state fiscal crisis.

A mass walkout of teachers from classrooms has been threatened if salaries are cut. Patterson, addressing the Alabama Education Assn., here, said "I feel that if teachers walk out it will be a big mistake and will not serve the cause of education."

Patterson's address followed one by state Superintendent of Education Frank Stewart who said "I cannot go along with, nor be a party to, any plan whereby teachers' salaries are reduced in the most prosperous times we have ever known." Stewart's speech, calling on the governor and the Leislature to provide answers to the crisis without pinching the teachers, drew a standing ovation from more than 5,000 teachers and superintendents.

The audience was subdued when Patterson said he does not feel that calling a special legislative session would solve the problem.

"Even if I did call one there would be assurance that you would get the money," he said.

He said that even with a 10 per cent proration of teacher salaries because of a $13,500,000 shortage in anticipated state revenues the teachers will be receiving 20-million dollars more than last year. The Legislature last year pegged a 15 per cent teacher salary increase on anticipated revenues. Collections, however, fell short.

"We probably lost eight million dollars in sales tax receipts due to the steel strike," Patterson said. "That money is gone and we will never get it back."

Patterson said there was little sentiment in the state to levy more taxes and said it would be "grossly unfair" to do so.

## Patterson Asks Cut Acceptance

### Education Superintendent Backs Up Teachers' Full Pay Demand

By United Press International

BIRMINGHAM, March 18.— Gov. John Patterson urged Alabama schoolteachers Friday to accept a 10 per cent salary cut to ease a state fiscal crisis.

A mass walkout of teachers from classrooms has been threatened if salaries are cut.

Patterson, addressing the Alabama Education Association here, said, "I feel if teachers walk out it will be a big mistake and will not serve the cause of education."

Patterson's address followed one by State Supt. of Education Frank Stewart who said, "I cannot go along with, nor be a party to, any plan whereby teachers' salaries are reduced in the most prosperous times we have ever known."

Stewart's speech, calling on the Governor and the Legislature to provide answers to the crisis without pinching teachers, drew a standing ovation from more than 5,000 teachers and superintendents.

**Cool To Governor**

The audience was subdued when Patterson said he does not feel calling a special legislative session would solve the problem.

"Even if I did call one, there would be no assurance you would get the money," he said.

He said even with a 10 per cent proration of teacher salaries because of a $13,500,000 shortage in anticipated state revenues, the teachers will be receiving 20 million dollars more than last year. The Legislature last year pegged a 15 per cent teacher salary increase on anticipated revenues. Collections, however, fell short.

"We probably lost eight million dollars in sales tax receipts due to the steel strike," Patterson said. "That money is gone and we will never get it back.

**Urges Full Term**

"I urge you and call upon you to co-operate with us in order to pay salaries and operate a full (school) term," he said. "I feel that with more local effort we can pay the teachers and operate full time."

Patterson said there was little sentiment in the state to levy more taxes and said it would be "grossly unfair" to do so.

Patterson also chided the teachers for what he called "a campaign to create pressure on the Administration and on the Legislature."

He waved a stack of letters written by school children urging that teacher salaries not be cut and that classrooms be kept open, and read excerpts from two of them.

"I don't think this type of campaign, political pressure and in some cases political assassination, serves the needs of education," he said.

### Integrationist Move Seen In Alabama

BIRMINGHAM, Ala., March 18.—(UPI)—Gov. John Patterson indicated Friday he expected legal action to integrate Alabama's schools again in the near future.

"There are signs they (integration groups) are getting ready," he said. "It might not be too many months before we are in the courts fighting those who wish to integrate the schools."

Patterson, addressing the Alabama Education Association's annual convention, was applauded by the teachers when he said "we can win if we stick together and don't sacrifice our principles."

But he warned "the day might not be far off" when some schools would have to be closed in order to preserve racial segregation.

## Time to request school admission in second grade

Parents who want their children to start in school in the second grade next year should submit applications before Friday.

This applies to children who attended the first grade in private schools.

Written requests for second-grade admittance should be given to the principal of the school the child expects to attend. A fee of $5 and a teacher's statement saying the child has had at least nine months of first-grade instruction must accompany each request.

**Applications received after Friday will be accepted, but a fee of $10 will be charged since individual processing will be necessary.**

The children will be tested by the city school guidance department sometime between May 23-27. They will attend classes from 8 a.m. until noon during the week of June 6-10, when skilled primary teachers will make evaluations based upon actual classroom performance.

When evaluations are completed, each parent will be notified by the Board of Education.

# Some Schools Facing Possible Short Term

By BOB INGRAM

The State Board of Education Friday rejected an amended school budget which would have slashed teachers' salaries 10 per cent.

The board then cleared the way for a possible short term school session in the event individual school systems cannot secure sufficient revenue on the local level to operate a full term.

However, the board members voted that each school system will have to secure individual approval from the state board before closing early.

The rejection of the reduced education budget, turned down by a 7-4 vote, was a sharp setback for Gov. John Patterson who sponsored the plan.

**EFFECT OF ACTION**

Patterson had ordered a 10 per cent proration of school funds for the current year due to lagging school taxes, and recommended a corresponding cutback in allocation of state funds to the public schools.

The effect of the board's action Friday is briefly this:

(1) City and county school systems are authorized to continue to operate under the budget approved by the 1959 Legislature, with no reductions to be made in teachers' salaries.

(2) School officials are urged to make every effort to secure funds from local levels to make up the shortage in state funds and thus enable a full school term.

(3) Schools which are unable to secure suffcent funds to operate a full term must present their case to the state board, and if it is accepted by the latter then the schools may close early.

**RUNNING FIGHT**

The board's vote in turning down Patterson's proposed budget amendment was a major victory for school people in Alabama who had vigorously objected to the governor's plan.

It was also a triumph for State School Supt. Frank R. Stewart, who again Friday waged a running fight with Patterson—just as the two had done at the hectic March 2 board meeting.

Actually most of the exchanges between the two officials Friday

"wreck the school building program." He also suggested that Stewart was seeking to "put the heat on the Alabama Education Authority."

Stewart, aware of Patterson's influence on the authority, withdrew the resolution in the face of Patterson's opposition.

"It's pointless to pass this resolution if the governor is opposed to it," Stewart said.

The vote on the Patterson budget proposal was identical to the vote taken at the March 2 meeting when the board delayed action on the plan.

Patterson and the three board members he appointed—J. T. Albritton of Andalusia, W. C. Davis of Fayette and Cecil Word of Scottsboro—voted for the reduced budget.

Voting against it were Stewart and the six board members appointed by former Gov. James E. Folsom—Robert R. Locklin of Mobile, J. P. Faulk Jr. of Samson, Col. Harry M. Ayers of An[illegible] J. Benford of Albert[illegible] of Tusca[illegible]

(Continued From Page 1)

school construction but that no one had come forward and asked for any of the money.

Stewart took issue with this charge. He said he had on hand priority projects from 85 school systems and that he would present them when the Alabama Education Authority meets.

"I have been informed by the authority chairman, Finance Director Charles Meriweather, that they will meet April 1, and I can assure you governor when they meet we will be there with our requests," Stewart said sharply.

After the board had turned down Patterson's budget proposal, Stewart offered a resolution of his own which he said would solve the financial problems.

**WRECK PROGRAM'**

He proposed that the $250,000 due each county from the $100 million bond issue be released, and that these funds could then be used to release funds at the local level for use in meeting operating expenses.

Patterson refused to go along with this plan, declaring it would

pointive — take a proportionate pay cut if teacher salaries are reduced."

The resolution was ready to offer the city board of education Friday.

"We do not feel that we are the teammates who are falling down on the job," said the resolution.

## Patterson Educators Special Session

BIRMINGHAM (AP)—The Jefferson County Board of Education Friday asked Gov. John Patterson to call a special session of the Legislature to deal with "critical school financial problems."

Many others of Alabama's 115 districts have asked the governor to call the Legislature.

Schools face a possible 10 per cent reduction in state funds because tax collectins are failing to meet appropriations of the last Legislature.

## Birmingham Teachers Ask General Pay Cut

BIRMINGHAM (AP) — Birmingham teachers want state officials—Gov. John Patterson included—to join them in any teacher salary reduction that may develop in coming weeks.

Gov. Patterson has directed school officials to plan on a 10 per cent cutback in state funds because of lagging tax collections.

Many school officials have said they will have to reduce teacher salaries to absorb the cutback.

Members of the Birmingham Education Assn. proposed in a resolution this week that all state employes—both elective and ap-

# State Officials Ignore Renewed Mixing Threats

A Negro spokesman's renewed threat to take court action if necessary to integrate Montgomery schools brought no replies Wednesday from public officials.

The Rev. Ralph D. Abernathy said his people are still hopeful that the Montgomery School Board will voluntarily abandon the segregation pattern even though a formal request for action has gone unanswered more than a year.

But, Abernathy added, "We know that eventually we probably will have to go to court."

Without putting a time limit on it, the president of the Montgomery Improvement Assn. said continued refusal of school authorities to outline an integration plan "will leave the Negro community with no alternative" but court action.

**NO COMMENT**

Gov. John Patterson and City-County School Supt. Walter McKee declined to comment. Patterson has said repeatedly in the past that he will see the public schools closed if need be to keep Negroes out of white classrooms.

Abernathy and other Negro leaders asked the board of education more than a year ago to submit a voluntary integration plan. No action has been taken to comply with the request.

Just what form a court suit might take remains to be seen, the MIA president said.

Negroes could follow the pattern adopted in Birmingham and demand admittance to white schools when they reopen next month, then go into court with an attack on the state's placement law.

Or, they could ask the federal courts to order the school board to announce a formula for integration.

**PLACEMENT LAW**

Alabama's placement law gives almost unlimited power to local school boards to assign individual students to one school or another. A three-judge federal court panel ruled the act constitutional on its face, but warned that it might later be held invalid if used improperly. The U.S. Supreme Court concurred.

Abernathy said Negroes "had hoped it would not be necessary" to take court action.

"We hoped that the Democratic Party platform might give impetus for action," he added, "but it has been six years since the Supreme Court decision (outlawing enforced segregation) and we have received no plan in Montgomery and not a single community in Alabama is integrated."

Suits are pending in federal courts in Birmingham to integrate the public schools there and in Mobile to force the white state trade school in that city to admit Negro students.

In another area of racial dispute, Abernathy declined to speculate whether Negro students in Montgomery will try new lunchroom sit-ins after Alabama State College reopens next month.

But he said the protests against segregation will continue, in one form or another because "I don't think the Negro people, and the students particularly, will be satisfied until they have won their rights."

# AEA Session To Decide Allocation For Schools

Montgomery Advertiser

Montgomery Ala

8-28-60

The Alabama Education Authority has scheduled an all-day meeting here Tuesday to approve an unprecedented $50 million school-building program in every county of the state.

This will bring to approximately $70 million the total amount allocated for school construction in the last six months.

Education Authority President Charles M. Meriwether, who is also state finance director, said all city and county school systems and institutions of higher learning would "share and share alike" in the allocation of the funds. The distribution to public school systems is computed on a teacher-unit basis and the amount payable to institutions of higher learning and trade schools is specified by law.

**AUTHORIZED IN 1959**

The school-building funds were authorized by the 1959 Legislature, which approved a record-setting $100 million revenue bond issue.

"After our meeting next week, each school system in the state should have received approximately 70 per cent of the total amount due under the act," Meriwether said. "We intend to even up the appropriations to each of the school systems."

The meeting is scheduled at 10 a.m. Tuesday at the Capitol. Officials hope the allocations can be handled swiftly, but if necessary the meeting will continue into a second day's session on Wednesday.

The remaining $30 million in revenue bonds will be sold at a later date and this money distributed to schools at that time.

The first offering of bonds, in the amount of $20 million, was sold last spring. This money—or exactly $19,329,654.53 of it—was allocated in April and May, and dozens of school buildings authorized then are now going up all over Alabama.

**TOP PRIORITY**

In dispersing these funds, the authority gave top priority to school districts in need of emergency funds to replace burned buildings, leaking roofs and condemned buildings. Some districts, therefore, got more funds than others.

The authority was set up by the Legislature to approve the allocation of funds derived from the $100 million bond issue. Meriwether is president and members of the authority include Atty. Gen. MacDonald Gallion, Education Supt. Frank Stewart, Treasurer Agnes Baggett, Revenue Commissioner Harry Haden and Auditor Mary Texas Garner.

Institutions of higher learning and trade schools stand to receive $18,930,620 from the first $70 million. They have already received a total of $6,667,180, and they will receive the remaining $12 million next week.

Public schools are in line for $50,069,380 from the first $70 million. They have already received exactly $12,660,474.53 and in next week's meeting they should get approximately $37,408,905 more.

**KEEP ON HAND**

The authority plans to keep about $1 million on hand for emergency use.

County and city public school systems share in the funds on the basis of the number of their teacher units. This is a formula used in the distribution of the Minimum Program Fund, and every 28 to 31 pupls in average daily attendance comprise one teacher unit.

Here is the county - by - county breakdown, including the amount due from the first $70 million as well as the amount already received and what it went for in the public school system:

AUTAUGA—$417,695 total, $242,738 already allocated. ($50,000 grant for debt service or reimbursement, and $192,738 for new North Highland High Schoo.)

BALDWIN—$766,154 total, $155,862 already allocated. ($50,000 grant and $105,862 for Baldwin County High School addition.)

BARBOUR — County system: $374,603 total, $34,371 already allocated as grant. Eufaula city system: $167,635 total, $44,779 already allocated ($15,629 grant and $29,150 for Eufaula Senior High School alterations.)

BIBB—$374,016 total, $270,895.52 already allocated. ($50,000 grant and $220,895.52 for new Bibb County High School.)

BLOUNT — County system: $411,042 total, $195,429 already allocated. ($40,429 as grant and $155,000 for new Susan Moore High School.) Oneonta city system: $96,141 total, $33,442 already allocated ($9,571 as grant and $23,871 for heating system at Oneonta High School Junior High Building.)

BULLOCK—$392,031 total, $248,058.20 already allocated. ($50,000 grant and $198,058.20 for Union Springs Elementary Sschool.)

BUTLER—$526,368 total, $233,873 already allocated. ($50,000 grant and $183,873 for new Greenville Junior High School.)

CALHOUN — County system: $659,628 total, $128,351 already allocated ($25,955 grant and $102,396 for new Saks Elementary School). Anniston city system: $422,302 total, $91,574 already allocated ($16,817 grant and $74,730 for additions and alterations at Anniston High School). Jacksonville city system: $104,805 total, $24,167 already allocated ($4,167 grant and $20,000 for addition to Jacksonville Elementary School). Piedmont city system: $77,559 total and $38,061 already allocated ($3,061 grant and $35,000 for addition to Francis Willard Elementary School).

CHAMBERS — County system: $503,330 grant and $220,895.52 for new Shawmut Elementary School). Lanett city system: $138,101 total, $10,772 allocated as grant.

CHEROKEE—$389,136 total, $250,000 already allocated ($50,000 grant and $200,000 for new High School at Centre).

CHILTON—$495,544 total and $50,000 already allocated as grant.

CHOCTAW—$448,310 total, $225,000 already allocated ($50,000 as grant and $175,000 for new Choctaw County Training School).

CLARKE—$530,179 total, $171,021.29 already allocated ($50,000 rgant and $121,021.29 for new Thomasville Public High School.)

CLAY—$356,272 total, $57,000 already allocated ($50,000 grant and $7,000 for alterations at Cragford Junior High School).

CLEBURNE—$308,272 total, $270.895.52 already allocated ($50,000 as grant and $220,895.52 for new Heflin Elementary School).

COFFEE — County system: $242,832 total, $45,790.60 already allocated ($21,453 grant and $24,337.60 for addition to New Brocton School.) Elba city system: $105,741 total and $9,300 already allocated as grant. Enterprise city system: $219,285 total, $108,996 already allocated ($19,247 as grant and $89,749 to complete Coppinville High School).

COLBERT—County system: $356,967 total and $23,990 already allocated as grant. Muscle Shoals city system: $39,545 total, $32,590 already allocated ($2,950 as grant and $30,000 for addition to Howell-Graves School). Sheffield city system: $220,770 total and $13,660 already allocated as grant. Tuscumbia city system: $142,818 total, $85,314 already allocated ($9,760 as grant and $76,554 debt service).

CONECUH—$443,300 total, $136,496 already allocated ($50,000 as grant and $86,496 for Castleberry School Gymnasium).

COOSA—$320,347 total, $100,000 already allocated ($50,000 grant and $50,000 for addition to Stewartville Junior High School).

COVINGTON—County system: $298,830 total, $177,817.85 already allocated ($29,693 grant and $149,124.85 for new Straughn High and Elementary Schools). Andalusia city system: $169,126 total, $60,018.16 already allocated ($10,707 grant, $31,337.56 for new Southside School and $17,973.60 for new Northside High School). Florala city system: $37,998 total, $22,311 already allocated ($3,153 grant and $9,158 for school lunchroom and kitchen at Florala School). Opp city system: $86,534 total, $44,368 already allocated ($7,447 grant and $36,921 debt service).

CRENSHAW—$381,336 total, $119,960 already allocated ($50,000 as grant and $69,960 for new cafeteria at Luverne High School).

CULLMAN—County system: $555,304 total, $190,396 already allocated ($38,396 grant and $152,000 for addition to Fairview School). Cullman city system: $169,301 total and $11,604 allocated as grant.

DALE—County system: $264,769 total, $247,506 already allocated ($27,506 grant and $220,000 for new Pinckard High School). Ozark city system: $213,811 total, $121,991 already allocated ($22,494 grant and $99,497 for addition to D. A. Smith Elementary and High School).

DALLAS—County system: $494,223 total, $188,173 already allocated ($27,595 as grant and $160,578 for new Hazen-Marrell School). Selma city system: $401,575 total, $89,642 already allocated ($22,405 grant and $67,237 for addition to Edgewood Elementary School).

DEKALB—County system: $596,995 total, $214,770.95 already allocated ($41,426 as grant, $150,169.24 for new Gregory High School-Collinsville and $23,175.71 for heating system for Crossville High School). Fort Payne city system: $120,066 total and $67,574 already allocated ($8,574 grant and $59,000 debt service).

ELMORE—County system: $445,256 total and $39,749 already allocated as grant. Tallassee city system: $113,902 total and $74,836 already allocated ($10,251 grant and $64,585 for East Tallassee Elementary lunchroom).

ESCAMBIA—County system: $472,458 total and $38,494 already allocated as grant. Atmore city system: $46,483 total, $26,779 already allocated ($3,779 grant and $23,000 for renovation of Rachel Patterson School). Brewton city system: $94,622 total and $7,727 already allocated as grant.

ETOWAH—County system: $455,296 total, $238,559.52 already allocated ($17,664 grant and $220,895.52 for new Attalla Junior High School). Attalla city system: $109,228 total and $4,369 already allocated as grant. Gadsden city system: $716,196 total and $27,967 already allocated as grant.

FAYETTE—$376,537 total, $260,000 already allocated ($50,000 grant and $210,000 for new West Highland High School).

FRANKLIN — County system: $335,986 total, $68,302 already allocated ($35,230 grant and $33,072 for addition at Belgreen). Russellville city system: $138,723 total and $14,770 already allocated as grant.

GENEVA — $498,650 total, $166,732 already allocated ($50,000 grand and $116,732 for Samson High School gymnasium).

GREENE — $380,136 total, $142,000 already allocated ($50,000 as grant and $92,000 for addition to Carver High School).

HALE—$478,625 total, $261,941 already allocated ($50,000 as grant and $211,941 for new Hale County Training School).

HENRY—$389,932 total, $137,648.82 already allocated ($50,000 grant and $87,648.82 for addition to Abbeville High School).

HOUSTON—County system: $379,492 total, $90,922 already allocated ($23,512 grant and $67,410 for addition to Rehobeth School). Dothan city system: $425,22 total, $94,162.64 already allocated ($26,48 grant and $67,674.64 for Selma Street addition).

JACKSON—County system: $518,051 total, $86,534 already allocated ($39,55 grant and $46,975 for addition to Section High School). Scottsboro city system: $138,455 total, $132,116 already allocated ($10,441 grant and $131,675 for new Scottsboro Elementary School).

JEFFERSON—County system: $2,678,251 total, $177,453.10 already allocated ($19,768 grant and $157,685.10 for addition to E. B. Erwin Junior High School). Bessemer city system: $373,117 total and $2,725 already allocated as grant. Birmigham city system: $3,412,663 total and $24,578 already allocated as grant. Fairfield city system: $191,738 total and $89,794.99 alredy allocated ($1,388 grant and $88,406.99 debt service). Mountain Brook city system: $106,220 total and $31,610.52 already allocated ($773 as grant and $30,837.52 debt service). Tarrant city system: $105,050 total and $768 already allocated as grant.

LAMAR—$356,482 total and $90,000 already allocated ($50,000 grant and $40,000 for addition to school at Sulligent).

LAUDERDALE — County system: $502,960 total and $28,315 already allocated as grant. Florence city system: $373,511 total and $102,112 already allocated ($21,685 grant and $80,427 debt service).

LAWRENCE—$494,464 total and $270,000 already allocated ($50,000 as grant and $220,000 for new Lawrence County High School at Moulton).

LEE — County system: $431,773 total, $205,887.74 already allocated ($31,642 as grant and $174,245.74 for addition to Smith's Station High School). Opelika city system: $250,218 total, $64,150 already allocated ($18,358 as grant and $45,792 for Jeter Street Elementary School).

LIMESTONE—County system: $491,334 total, $205,472.75 already allocated ($38,945 as grant and $166,527.75 for Mooresville-Belle Mina and Owen Junior High gymnasium). Athens city system: $139,553 total and $11,055 already allocated as grant.

LOWDES—$44,421 total, $216,792.50 already allocated ($50,000 grant and $166,792.50 for new Hayneville Elementary School).

MACON—$473,564 total, $235,000 already allocated ($50,000 grant and $185,000 for new Junior-Senior High School at Cross Key).

MADISON—County system: $571,645 total, $162,042.45 already allocated ($20,631 grant and $141,411.45 for new Farmers Capital School). Huntsville city system: $803,379 total and $29,369 already allocated as grant.

MARENGO—County system: $432,973 total, $192,881.75 already allocated ($38,003 grant and $154,878.75 for new Linder Academy for Negroes). Demopolis city system: $134,195 total and $11,997 already allocated as grant.

MARION—County system: $405,276 total, $262,157.52 already allocated ($41,261 grant and $220,895.52 for new Hamilton High School—Old building burned). Winfield city system: $85,829 total and $8,738 already allocated as grant.

MARSHALL—$740,130 total, $250,000 already allocated ($50,000 as grant and $200,000 for new Boaz High School).

MOBILE—$3,301,139 total, $214,950 already allocated ($50,000 grant and $164,950 for addition to Toulminville Junior High School).

MONROE—$508,039 total, $178,071.20 already allocated ($50,000 grant and $128,071.20 for additon to Monroe County High School).

MONTGOMERY — $1,845,190 total, $270,895 already allocated ($50,000 grant and $131,030 for addition to Hale Elementary School and $89,865 for addition to Daisy Lawrence Elementary School).

MORGAN—County system: $485,352 total, $138,285.50 already allocated ($28,679 grant and $109,606.50 for Priceville School Voational Building). Decatur city system: $361,396 total and $21,321 already allocated as grant.

PERRY—$415,686 total, $112,500 already allocated ($50,000 grant and $62,500 for Marion, Lincoln High School.

PICKENS—$482,975 total and $50,000 already allocated as grant.

PIKE—County system: $334,118 total, $141,988 already allocated ($32,004 as grant and $109,984 for additions and alterations at Banks Junior High School. Troy city system: $186,746 total, $75,236 already allocated ($17,996 as grant and $57,240 for health and educaton classroom building at Charles Henderson High School).

RANDOLPH—County system: $334,367 total, $105,462.74 already allocated ($39,182 grant and $66,280.74 for addition to Woodland High School). Roanoke city system: $90,093 total and $10,818 already allocated as grant.

RUSSELL—County system: $314,327 total, $21,313 already allocated as grant. Phenix City city system: $416,999 total and $28,687 already allocated as grant.

SAINT CLAIR—$498,665 total, $269,629 already allocated ($50,000 as grant and $219,629 for new Moody Junior High School).

SHELBY—$562,638 total, $228,171.46 already allocated ($50,000 grant and $178,171.46 for addition to Shelby County Training School).

SUMTER — $494,014 total, $122,872 already allocated ($50,000 grant and $72,872 for addition to York West Edn School).

TALLADEGA—County system: $623,442 total, $216,719 already allocated ($30,164 grant and $188,555 for new Childersburg Elementary School). Sylacauga city system: $174,609 total and $8,538 already allocated as grant. Talladega city system: $234,018 total and $11,298 already allocated as grant.

TALLAPOOSA—County system: $337,151 total, $153,611 already allocatde ($27,786 as grant and $125,825 for new Edward Bell Elementary School at Camp Hill). Alexander City city system: $239,024 total, $19,995 already allocated as grant. Talassee city system: $27,668 total, $2,259 already allocated as grant.

TUSCALOOSA—County system: $624,108 total, $78,276 already allocated ($24,375 as grant and $53,901 for addition to Crestmont Elementary School). Tuscaloosa city system: $643,457 total, $25,625 already allocated as grant.

WALKER—County system: $725,367 total, $73,084.52 already alloacted ($40,632 grant and $32,452.52 for Dora High School addition). Carbon Hill city system: $73,697 total, $4,073 already allocated as grant. Jasper city system: $93,567 total, $5,295 already allocated as grant.

WASHINGTON—$413,016 total, $114,384.40 already allocated ($50,000 as grant and $56,985.60 for Pine Hill High School addition).

WILCOX—501,949 total, $106,985.60 already allocated ($50,000 as grant and $56,985.60 for Pine Hill High School addition).

WINSTON—$377,391 total, $114,007 already allocated ($50,000 as grant and $64,007 for new Double Springs Elementary School).

State Vocation Trade Schools have received $2,435,400 under the cshool construction program. Of this amount $1 million each was allotted for new trade schools at Montgomery and Decatur and $435,400 set aside for the construction of another trade school at Mobile.

Institutions of higher learning are to get a total of $16,495,220 from the first $70 million. Already state colleges and universities have received $4,231,780.

Here is a breakdown on what these institutions stand to receve in next week's meeting, what they have already received and what it went for on their campuses:

ALABAMA COLLEGE — $639,380 total, $182,680 allocated (this went for $25,000 kitchen, $75,000 steam plant, $25,000 water system repair, $25,000 Palmer Hall repair and alteration, and $32,680 repair to electrical system).

AUBURN UNIVERSITY — $4,802,490 total, $1,372,140 allocated. (Erection, construction and equipping of a new Library Building.)

ALABAMA STATE COLLEGE, MOBILE BRANCH—$401,940 total, none allocated.

AGRICULTURAL AND MECHANICAL COLLEGE—$1,039,500 total, $392,040 allocated. (Erection of apartment dwelling units.)

TROY STATE COLLEGE — $1,372,140 total, $392,040 allocated. (Land use survey, addition to Hardaway Hall and constructing and equipping dining Physical Education Building.)

FLORENCE STATE COLLEGE—$1,372,140 total, $392,040 allocated. (Erecting, constructing and equipping Science Building.)

JACKSONVILLE STATE COLLEGE — $1,372,140 total, $392,040 allocated. (Erecting, constructing and equipping Mineral Industrial Building).

LIVINGSTON STATE COLLEGE — $1,372,140 total, $223,740 allocated. (Construction and equipping of a new Library Building.)

ALABAMA STATE COLLEGE — $440,055 total, $297,000 allocated. (Construction of COLLEGE—$841,995 total, none allocated.

# Nearly Half Million Given County For School Projects

The Tuskegee News Tuskegee, Ala.

1400

Macon County was allocated a total of $493,000 out of the Alabama Educaton Authority's school construction program of $30 million. The Authority was in session in Montgomery last week. County Superintendent C. A. Pruitt attended the session.

Top priority with an allocation of $248,000 was given to the project to erect a Junior-Senior high school building for Negroes at Cross Keys. This school near Line Creek is now housed in a wooden structure. A suitable site for the new building has already been located and surveyed and the project approved by the State department. The new building will be designed to include vocational agriculture and home economics departments and a general purpose room and it will accomodate about 400 pupils. The county board hopes to have it ready for use by Sept.. 1961.

In Tuskegee, $37,285.50 has been allocated to build a new cafeteria next to the East wing of the present elementary school building. This construction will release space now being used across the hall from the auditorium in the high school building for class room space. The new cafeteria will be in closer proximity to the smaller children in elementary school and will be easily accessible from the street.

The third project which has already been approved from the allocated funds is the addition of three class rooms, a department of home economics and a department of vocational agriculture to Tuskegee Institute High School. To be built at an estimated cost of $99,467.76, the new construction will make possible the separation of the junior and senior high schools of this facility.

Mr. Pruitt says it is his belief that the board will be able to make up the necessary matching funds to take advantage of the full allocation without having to ask for any additional taxes. The seven-mill school tax in effect for many years and just re-voted several years ago is expected to take care of the matching funds.

Despite the fact that Macon County has been prorated more than $200,000 during the past four years, they have managed without having to borrow and they do not have any short-term debts. This fact is most commendable when considered in the light of many other counties of the state who have borrowed to the hilt and who are operating this year through individual pupil assessment.

## Macon Plans Negro School As First Construction Job

Tuskegee Journal

Montgomery Ala.

TUSKEGEE (Special) — Macon County's top priority project from the allocation of $493,000 from the Alabama Education Authority's school construction proram is a junior-senior high school for Negroes at Cross Keys.

The project has been allocated $248,000 for replacement of a wooden structure now used as a school on Line Creek. A suitable site for the new building has already been located and surveyed, with approval of the state education department.

The new building will be designed to include vocational agriculture and home economics departments and a general purpose room. The building is to accommodate about 400 students. The county board hopes to have the school ready by September, 1961.

In Tuskegee, $37,285.50 has been allocated to build a new cafeteria at the elementary school.

A third project is an addition of three classrooms, a department of home economics and a department of vocational agriculture at the Tuskegee Institute High School. To be built at an estimated cost of $99,467, the new construction will make possible the separation of the junior and senior high schools.

County Supt. A. C. Pruitt said he believed the board will be able to make up the necessary matching funds to take advantage of the full allocation without having to ask for any additional taxes. The seven-mill tax in effect for many years and re-voted several years ago and is expected to take care of the matching funds.

Despite the fact that Macon County has been prorated more than $200,000 during the past four years, Pruitt reports that the board has operated without having to borrow and does not have any short-term debts.

# $11.6 Million OKd For Construction Of State Schools

The Montgomery Advertiser

Montgomery, Ala.

## Unit Debates On Projects For 5 Hours

By BOB INGRAM

The biggest school construction program in state history opened on a stormy note Friday as the Alabama Education Authority stamped its approval on projects totalling $11.6 million.

For more than five hours the authority members alternated in approving projects and listening to heated exchanges between Finance Director Charles Meriwether and State School Supt. Frank R. Stewart.

But when the meeting finally adjourned, the following action had been taken:

1. The authority approved flat grants of $50,000 to each of the state's 67 counties. In some instances this money may be used, through the transfer of other local funds, to aid schools crippled financially by proration.

**TRADE SCHOOL**

2. Approval was given for the allocation of $1,372,000 to Auburn and a like amount to the University of Alabama for critical building projects.

3. An allocation of $1 million was made for the construction of a white trade school in Montgomery.

4. Approval was given for 40 public school projects in 37 county and two city school systems totalling $4.5 million.

A number of other proposed projects were considered but deferred for later action. The authority will meet again within the next two weeks to consider these and other projects.

**FUTILE FIGHT**

All of the school buildings are to be financed from the $100 million school bond issue approved by the 1959 Legislature. Only recently the state sold $20 million of these bonds, and it was the proceeds from this sale which were distributed Friday.

Stewart waged a determined but futile fight throughout the day in support of a plan to allocate the available funds on a percentage basis.

The bond issue law provides that 74 per cent of the money goes to the public schools, and Stewart contended Friday that each of the 67 counties was entitled to 74 per cent of the $20 million—in this instance, $220,000 per county.

Instead, Meriwether moved that a grant of $50,000 be made to each county, this representing 20 per cent of the $250,000 they are entitled to on a grant basis under the bond issue act. Meriwether reasoned that since only 20 per cent of the bonds had been sold, then the counties should receive only 20 per cent of their flat grant money.

The next issue arose when Meriwether insisted that Stewart tell the authority which school in which county was in greatest need of building funds.

Stewart refused to make such a choice, insisting there were critical needs in all counties and he would not discriminate against any particular county.

Meriwether then came up with a "priority" list of his own, which was approved in part. Stewart voted "no" on every project, contending that he felt all counties should "share and share alike" in the bond money allocations.

The exchanges between the two officials on this point was especially sharp.

Stewart accused Meriwether of "trying to put the monkey on my back" concerning which project should have priority.

"That's your job," Meriwether fired back.

Stewart also protested that the agenda of the meeting had not been shown to him in advance.

**COUNTY-BY-COUNTY**

"I'm secretary of this authority, yet I had no idea any of these things were coming up today," Stewart declared.

The school official tried repeatedly during the day to present to the authority a county-by-county list of priority needs, but Meriwether and the majority refused to let him do so unless he would designate which project in which county was the greatest need.

It was after the heated debate that Revenue Commissioner Harry Haden made a motion empowering Meriwether to offer his list of "critical" school needs. Meriwether said he had prepared his list from conferences with local school people and legislators.

After Meriwether's priority list of 24 counties had been considered, the authority then went through the county list alphabetically.

Following the hectic session Stewart issued a statement explaining his negative vote on all the projects. He said he felt the authority should have listened to the petitions of all the school systems and then determine what needs should be met.

"I am interested in seeing every school system share in the program," he declared.

If integration ordered—

# Private schools seen as answer

The Birmingham News

BY AL STANTON, News staff writer

MONTGOMERY, Ala., May 28—Alabama could set up private school systems with little trouble, if the courts order public systems integrated, two state officials believe.

The feasibility of large-scale private schooling to resist integration has been demonstrated in Virginia, they said.

Alabama Public Service Commissioner Ralph Smith Jr. and Robert P. Bradley, legal adviser to Gov. John Patterson, studied the school situation in Virginia.

From their study may come new standby legislation to allow swift conversion to private schools in Alabama systems ordered to integrate.

Jun. 5-29-60

GOV. PATTERSON said, "This study will enable us to be better prepared if we ever are confronted with an integration crisis in our public schools."

**He has asked the lawyers to determine the "willingness of communities to abandon public schools in the face of integration and what legislation is needed to carry out such a plan."**

Smith, former legal adviser to Gov. Patterson, said Virginia private schools apparently "have the wholehearted support of white citizens."

Bradley said, "They convinced me private schools are the answer."

BOTH SAID the state probably should consider some sort of law similar to one in Virginia allowing state grants to individual families to provide private schooling.

**Virginia also provides property tax deductions in individual cases where the state grant is not enough to pay tuition of children.**

Virginia, however, relies heavily on property taxes to support schools, whereas Alabama schools are suported chiefly from sales and income taxes.

Smith said a half-dozen or so Virginia counties have organized private schools where public schools have been integrated.

BRADLEY SAID schools are being built by private school corporations with bond financing.

There apparently has been little trouble with this type of private financing.

"They told us they have been successful in disposing of them," Bradley said.

**Smith said the bonds are similar to municipal industrial development bonds in Alabama, where companies and individuals subscribe to bonds to build facilities for new industries.**

The private schools are fully accredited, Bradley said, although some so-called "frills" have been eliminated.

Teacher pay is the same in private schools as in the public systems, he said.

SMITH SAID Virginia's private schools were delayed mainly because the state was unprepared with proper legislation.

"Not being ready cost Virginia an entire year of schooling in some areas," he said.

**He strongly suggested that Alabama consider additional legislation for private school systems.**

The 1959 Legislature enacted a law to allow the state to provide public funds for private schools.

Gov. Patterson vetoed as unwise a bill which would have provided public funds to individuals wishing to attend private schools. He contended the measure allowed too wide a latitude.

## Separate, Equal, Closed

The Montgomery Advertiser

The state will raise its ante another $50,000,000 soon in a high stakes poker game on which the fate of Alabama's public school system may hinge.

Montgomery, Ala.

Before the final card is dealt the state will have contributed $100,000,000 to the pot while the counties and cities will have chipped in more. And they are betting on the same hand that "separate but equal" school facilities will resolve the current racial crisis in education.

The legislature in 1959 gave overwhelming approval to the expenditure of $100,000,000 in new schools. The legislature provided further that a part of this state money be available to the counties only on a matching basis. Hence the construction program, when completed, will be substantially more than $100,000,000.

Close to $20,000,000 of the state funds has been allocated, ground has been broken, construction has begun. And another $50,000,000 in bonds are to be placed on the auction block later this month.

Any fears colored people might have had concerning the disposition of this bond money should have long since been eased. Approximately $13,-

500,000 of the bond money allocated thus far has been earmarked for elementary and high school construction. And of this total roughly $3,500,000 was for Negro schools. An even higher ratio can be expected in future allocations.

The plan being followed is an obvious one — to provide the Negro school children of Alabama facilities equal to those for white children. In many counties this is a shamefully overdue effort, but no one can deny that belated though it be, it is a sincere and costly one at the present time.

The taxpayers will be 30 or more years in getting out from under the debt brought on by the bond issue. But if it takes it, they appear willing.

If the $100,000,000 gamble fails to pay off, the state may find itself with the dubious distinction of having the finest closed schools in the nation.

Patterson warns—

# Integration suits herald showdown

BY AL STANTON
News staff writer

MONTGOMERY, Ala., July 6— Gov. John Patterson today foresaw the Birmingham integration suits as "the beginning of a showdown battle over whether we will integrate our schools."

He warned that he still stands ready to go to a private school system to avoid racial integration in public schools.

**He referred to suits filed in federal court by the Rev. F. L. Shuttlesworth and other Negro integration leaders to force race mixing in Birmingham schools and parks.**

"The people of Alabama will not tolerate integration and I am for going to private schools before submitting to integration of our public schools," Patterson said.

The governor criticized federal courts for what he called "favorable treatment of the NAACP."

"I CAN'T SEE the courts stepping in and treating the NAACP any differently than any other foreign corporation," he said.

**The governor pointed out that a contempt case against the pro-integration organization is still pending in Montgomery Circuit Court, and said, "We are going to insist the suit be heard and that the NAACP pay for violating the law in this state."**

Patterson filed the suit as attorney general. He charged the NAACP with violating another code injunction by operating under another name, that of The Alabama Assn. of Coordinating Registration and Voting.

Says showdown near—

# Patterson gives warning on token integration

BY AL STANTON
News staff writer

MONTGOMERY, Ala., July 7— Gov. John Patterson, declaring a "showdown battle" over school integration has begun in Alabama, warned against even token mixing of the races in public schools.

"There is no such thing as token integration, and we should watch very closely those who advocate it," the governor declared.

**The showdown battle started with the filing of school and park integration suits in U. S. District Court at Birmingham, Patterson said yesterday.**

"The people of Alabama will not tolerate integration, and I for one am for going to private schools before submitting to public school integration," he declared.

HE BLASTED A suit by the NAACP here to force the state to allow it to do business again in Alabama. The pro-integration organization is seeking to have set aside an order by Circuit Judge Walter B. Jones banning it from operating in the state.

"They (the NAACP) got away with more than you or I could get away with in the state they came from—New York," Patterson said.

**He said an additional citation against the NAACP accusing it of violating Judge Jones' injunction is still pending and "we are going to insist that the suit be heard."**

THE GOVERNOR filed the suit alleging the NAACP continued to operate in Alabama under the "alter ego" of the Alabama Assn. for Coordinating Registration and Voting.

"I can't see the courts stepping in and treating the NAACP any differently than any other foreign corporation.

"But the NAACP considers itself above the law, and the Supreme Court also considers the NAACP above the law," the governor declared.

# Tuscaloosa Plans Tuition To Run Schools Full Term

TUSCALOOSA, Aug. 17 (AP) — Junior and senior high school students in Tuscaloosa will start paying a tuition this Fall.

The City Commission and Board of Education announced in a joint statement today that tuition would be charged to insure a full school term for the 1960-61 year.

The joint statement said, "We know now that state funds will not provide a full school term in 1960-61."

School officials said they had no formal word of this but felt certain that the fund shortage would develop because of lagging state income.

The state in recent years has had to prorate school funds because of a lack of revenue from sources alloted to school support.

Tuition here will be $10 per semester in senior high schools and $7.50 per semester in junior high schools. The board fixed no tuition for elementary schools, but said it will ask the Parent-Teacher Assn. for $5 per pupil per semester.

Officials would not estimate the total income expected from the tuition. They said they expect a total enrollment of about 12,500 pupiles this Fall.

# Prattville Negro School Contract Let

PRATTVILLE—A $207,810 contract for construction of a new Negro high school has been awarded to Bear Brothers Construction Co. of Montgomery.

The school will be located on north Chestnut street, directly opposite a new half-million dollar housing project for Negroes.

John Hargis, Autauga County school superintendent, said 10 bids were submitted on the proposed school. All contractors submitted base bids and also gave seven deductible alternates, of which the board of education took five.

They were: Andrews and Dawson, Montgomery, base bid, $233,390, with alternates bringing down to $211,390; Algernon Blair, Montgomery, base bid, $233,918, with alternates, $210,818; Cooper Bros, Selma, $242,442 base bid, with alternates, $222,712; A. Berney Jones, Montgomery, $232,911, with alternates, $211,214; T. L. Lanier, Wetumpka, $246,500, with alternates, $227,119; A. D. Lovelady, Selma, $236,800, with alternates, $217,725; Scott Bros., Alex City, $240,849, with alternates, $221,119; Watson and Yeargan, Jessup, Ga., $253,000, with alternates, $223,500; C. W. Williams, Marion, $242,414, with Alternates, $222,914.

Bear's base bid was $229,460.

Architect Tom B. Kirkland said that the bidding, which he described as "very competitive," resulted in a contract award of $7.14 a square foot.

The State Building Commission has allotted approximately $192,000 for the construction of the school. The money will come from the state's $20 million bond program.

The school will have a total of 29,129 square feet. It will be centrally heated, have 17 classrooms, a central office, library, science laboratory and facilities for home economics and vocational agriculture.

Construction will begin about July 15 and the contractors have 300 days to complete the structure.

# Alabama Education Authority Makes Allocations For School Construction

MONTGOMERY, April 20 (AP) — Following is a list of allocations for school construction and improvements made by the Alabama Education Authority at its meeting here last night.

Alabama College at Montevallo —$182,680 for repairs and improvements.

Troy State College—$297,000 for a new health and physical education building.

Jacksonville State College — $392,000 for use in constructing a new dining hall estimated to cost $1 million.

Livingston State College—$223,[illegible] for married students' housing.

Florence State College—$392,000 [illegible] part payment of construction [illegible] science-home economics [illegible] estimated to cost $717,[illegible]

[illegible]mber County—$220,000 for [illegible] in construction of new 12-[illegible] white high school at Shaw[illegible]

[illegible]—$219,000 for construction [illegible] new Moody Junior High [illegible] with 17 classrooms at Moody.

[illegible]—$220,000 for use in [illegible] new 23-room Attalla Junior [illegible] School in Attalla.

[illegible]—$200,000 as part payment [illegible] construction cost of new senior high school in Centre.

[illegible]—$[illegible],000 for eight room addition [illegible]en Moore High School.

Cullman—$152,000 for four room addition to Fairview Elementary School.

Fayette—$210,000 for construction of West Highland High School for Negroes in Fayette.

Greene—$92,000 for six room addition to Carver High for Negroes in Eutaw.

Hale—$211,000 for construction of 25-room Greensboro Elementary School for Negroes.

Jackson—$47,000 for two-room addition to Section High School.

Dallas—$160,000 for construction of new Hazen-Harrell School for Negroes.

Macon—$185,000 for 11-room Negro junior high at Cross Keys.

Marengo—$154,000 for four-room addition to Linden Academy for Negroes.

Lawrence—$220,000 for 25-room addition to Lawrence County High in Moulton.

Tallapoosa—$125,000 for 25-room Edward Bell Elementary School for Negroes at Camp Hill.

Colbert — $30,000 to Muscle Shoals Elementary School for two-room addition and boiler improvements.

Wilcox—$57,000 for three-room vocational agriculture building at Pine Hill High School.

Winston—$64,000 for six-room addition to Double Springs Elementary School.

Lamar—$40,000 for three-room addition to Sulligent High School.

Lowndes—$166,000 for new Negro elementary school in Hayneville.

Choctaw—$175,000 for 13-room county training school for Negroes.

Bullock — $198,000 for new 14-room Negro elementary school in Union Springs.

Dale—$220,000 for new 18-room high school at Pinckard, replacing building recently destroyed by fire.

Mobile—$164,000 for eight-room addition to Toulminville Junior High School.

CITY SYSTEMS:

Eufaula—$29,000 for use in replacing heating system at Eufaula Senior High.

Dothan—$67,000 for four-room addition to Selma Street Elementary School.

Tallassee—$64,000 for lunchroom and multi-purpose room at East Tallassee Elementary School.

Piedmont — $35,000 for three-room addition to Frances E. Willard Elementary School.

# White pupil tests state school law

BY PAUL HOGAN
News staff writer

Circuit Judge William A. Jenkins is studying the first contest of the Alabama School Placement Law by a white student.

**The test does not concern the strength of the law, called "constitutional on its face" by the U. S. Supreme Court, but challenges the Birmingham Board of Education's application of it.**

Involved in the case is Donna Carol Dugger, a first grader who wants to go to North Birmingham school but has been assigned to Fairmont.

DONNA CAROL lives at 4021 29th-pl. n. with her parents and an older brother and sister. The sister went to North Birmingham school. her brother is there now, and her mother once attended the same school.

**A statement of the facts in the case that Judge Jenkins is now considering shows that the Duggers live only eight-tenths of a mile from North Birmingham, but live 1.7 miles from Fairmont.**

The residence is in an area zoned for Fairmont, however.

PUPILS LIVING in that area who are already enrolled at North Birmingham can continue, the school board said, but first graders must be enrolled at Fairmont.

**These rules were applied to keep the student bodies at each school in proper balance, the board said.**

THE PLACEMENT LAW got its first test when it was used to assign Negro students to a Negro school when they applied for enrollment at a white school.

The current test involves whether the school board wisely used the wide discretion it possesses in assigning pupils.

# Private Schools Called Workable Appeal

## Patterson Adviser Points Setup Used In Prince Edward County

By United Press International

MONTGOMERY, Ala., April 25.—A private school system to avoid integrated classrooms will work, Gov. John Patterson's legal adviser reported Monday.

Robert P. Bradley said "establishment of a private school system to preserve our historic system of segregation of the races will work because we saw it working."

Mr. Bradley and Edmon L. Rinehart, state insurance superintendent and former assistant attorney general, recently returned from a visit to Virginia where they studied efforts there to maintain segregation.

**Visited Several Cities**

In a memorandum to the Governor, who asked them to make a study, Mr. Bradley said:

"Pursuant to your instructions, Mr. Rinehart and I visited several Virginia cities and towns to learn as much as we could about their efforts to maintain school segregation so that Alabama might benefit by their experiences.

"We talked to Governor Almond and Atty. Gen. Harrison and to several assistant attorneys general who have been fighting this battle for approximately four years.

"We talked to public officials in Richmond and in Norfolk, then visited with the people responsible for the private school system in Prince Edward County.

**Using Private System**

"In Prince Edward County, the people have closed their public schools and opened a private school system. Presently, they are holding classes in the various churches of the county, but we were shown a site and given a copy of the plans for a new private school building in Farmville.

"The white people in Prince Edward County are all completely behind their private school system, and it is considered to be successful. They decided that they wanted this type of school system and they went out and got it.

"All of the white children in the county are attending school.

"The white people went so far as to organize a private corporation to help the Negroes set up a school themselves, but the Negroes declined the offer and, at the present time, there are no Negro schools in Prince Edward County. As you can see, the Negroes there are the only real losers in this contro-

# Board members ask integration suit be dismissed

Thomas H. Benners Jr. and Mrs. J. P. Troxell Jr., members of the Birmingham Board of Education, yesterday filed a motion to dismiss the school integration suit which was brought by a group of Birmingham Negroes last month.

**Benners and Mrs. Troxell moved that they be dismissed as parties in the complaint on grounds that the suit "fails to state a claim on which relief can be granted".**

Other Board of Education members and Supt. Theo Wright filed similar motions earlier this month.

A. L. Kaetz, board secretary, also filed a statement in Federal Court explaining his position in the case.

Kaetz explained he had no authority to set any school policies

PRIVATE SCHOOLS FORESEEN—

# Integration Showdown Nearing In Alabama, Gov. Patterson Says

MONTGOMERY, July 6 (UPI)—Gov. John Patterson said today the integration battle is rapidly reaching a showdown in Alabama with the possible result public education in the state will be wiped out.

"The fight has been long in coming," the governor said, referring to suits filed in Birmingham to integrate schools, parks and playgrounds. "It is the beginning of the showdown . . ."

Patterson told newsmen, "I am firmly convinced the people of Alabama will not tolerate integration. I am 100 per cent opposed to integration and I am 100 per cent opposed to token integration.

"There is no such thing as token integration and those who believe in token integration are as wrong as they can be. It is all or nothing.

"Now is the time for us to stand

# Patterson Aides Studying Private Schools In Virginia

FARMVILLE, Va., April 21 (UPI) —Two segregation experts on Gov. John Patterson's staff made an on-the-spot study today of Virginia's only effective private school system.

Robert Bradley, legal advisor to the governor, and Edmon Rinehart, insurance superintendent, toured the private classroom facilities here in the rich agricultural belt. Citizens padlocked their public schools to sidestep integration and established a private school system.

Both Bradley and Rinehart, who handled Alabama's case against the NAACP several years ago, are former assistant attorneys general who worked under Patterson when he was attorney general.

**Seeks Information**

Patterson said he wanted first hand information on the operation of private schools in Prince Edward County, where public schools are closed. "This study will enable us to be better prepared when and if we are confronted with a similar school segregation crisis here in Alabama," he said.

Bradley and Rinehart left Tuesday and made their first stop in Richmond, where they conferred with Gov. J. Lindsay Almond Jr. and State Atty. Gen. A. S. Harrison Jr. and a number of their assistants who have worked on the school segregation cases.

**Visit 'Trouble Spots'**

They visited four integration "trouble spots" — Charlottesville, Alexandria on the outskirts of Washington, Front Royal and Farmville.

I have asked Bradley and Rinehart to give particular attention to the private school set-up in Farmville, where the local people abandoned the public school system when it was integrated and turned to private schools," said Patterson. "From our information, the private school system appears to be unusually successful."

PATTERSON PREDICTS

# $137 Million In Funds Forecast For Education

Gov. John Patterson forecast Tuesday that Alabama schools would receive a record $137 million in funds this year despite a cutback caused by a drop in tax collections.

In a report to the State Board of Education on school finance, Patterson said school taxes were now running approximately $1 million a month behind the original estimate.

"This means that at the close of the year education will have been allocated approximately $137 million," he said. The original budget called for the expenditure of $148.5 million for the current year.

Patterson said at the present time he was seeking to determine what caused the drop in funds.

"We are trying to determine if the original estimate was wrong or if it is due to a decline in sales tax collections," he said. "My present opinion is that it was a decline in the sales tax, which now is $11.2 behind what had been forecast."

He noted that despite the cutback education would still receive $23 million more than it had ever received before "so the picture is not as bleak as some people have painted it."

Board members asked if plans were being prepared to prevent a recurrence of proration and State School Supt. Frank R. Stewart said one route had been suggested by some school superintendents.

"A number of them have suggested that it would be wise to pay teachers on the same schedule as this year and withhold as a cushion the 5 per cent raise they are in line to get," Stewart said.

No action was taken on this proposal. Teachers were granted a 15 per cent raise this year, and in a resolution passed by the 1959 Legislature were in line for another 5 per cent boost for the coming school year.

Patterson agreed that "somebody must provide for a cushion" to prevent a repeat of the 1959 financial crisis.

Earlier, the board approved a variety of resolutions. They included:

1. Approval of a transfer of funds to permit the establishment of white and Negro "branch" trade schools in Huntsville, under the supervision of the Decatur Trade School.

2. Approval of a loan of $1,365,000 from the federal government by Florence State College for use in constructing two dormitories and a student union building.

3. Approval of resolution urging the Mobile City Commission and county governing body to assist in securing a site there for a new Negro trade school.

White residents of area complain—

# Board delays action on constructing Negro school after hearing protests

BY CHARLIE GRAINGER
News staff writer

The County Board of Education Friday decided to delay plans to build a Negro school at the Adger community, near Bessemer, after a protest by a white resident.

The board had earlier agreed to construct the school, consolidating several smaller Negro schools

**But C. R. Roberson of West Highlands, who said he represented about 75 white home owners, appeared at the board meeting Friday to protest the construction.**

O. G. GRESHAM, presiding chairman, agreed that the board should give more consideration to the project before going ahead and should consider a "better" site. The board agreed to further consideration.

Roberson told the board construction of the new school would devaluate white property and would bring about "an unpleasant situation" of Negro children walking to school through the white community.

**The West Highlands community is sandwiched between two Negro communities. It is adjacent to the proposed school site.**

THE ADGER NEGRO Elementary School would cost about $150,000. Negro children from Adger, McCalla, Virginia Mines, Old Jonesboro, West Highlands and Shades Valley communities would attend there.

Gresham pointed out that the proposed school would be less than two miles from the Bessemer city limits. He said the possibility that Bessemer would take in the area exists.

**"I see no reason to go ahead and build a school on the edge of a city limits and let somebody (Bessemer) take it in right away," Gresham said.**

ROBERSON WAS told that recommendations by his protest group would be considered by Supt. I. F. Simmons.

The board had approved at its last meeting a sales contract of an acre tract of land from a white resident and had planned to go ahead with construction.

Dr. Simmons told the board the site was chosen because of the availability of water and sewage outlets and because the terrain was suitable for a school building.

**"Our biggest objection is the devaluation of property because of the Negro homes. If the school is built, we will just have more and more Negro homes right around us," Roberson said.**

"THERE WOULD be 35 white homes within three blocks of that school," the West Highlands resident said.

The board also heard requests from residents of the Eastern Valley Community that their community be rezoned from the Raimund white school district near Bessemer to allow their children to attend Greenwood School.

The board denied the rezoning request, but said it would consider allowing "a few" Eastern Valley children to attend Greenwood if they provided their own transportation and no more than a few requested to attend that school.

# Negro Preference Shown In Survey

## Parents Would Rather Have Teachers Of Own Race

MONTGOMERY, Ala., Aug. 16.—(UPI)—A public opinion survey of Negro parents showed a solid preference for separate but equal school facilities for Negro children, a local Negro leader said Tuesday.

Sam Moore, president of the pro-segregation S.A.N.E., Inc., said a survey by J. R. Griffin, a Dothan Negro school teacher, showed a majority of Negro parents preferred Negro teachers in Negro schools for their children.

However, Moore said the survey also showed most Negro teachers working for integration preferred white to Negro teachers for their children. The report quoted the Negroes as saying they felt white teachers had a higher degree of intelligence and moral status, Moore said.

Griffin's report, according to Moore, said pro-integration Negroes felt their race "unable to adapt themselves mentally to the demands of modern-day white society, especially in the teaching profession.

# Defendants In Suits Have 20 Days To Get Answers To Court

Birmingham World, Birmingham, Ala.
6/23/60

Defendants in two suits designed to broaden citizenship participation have 20 days in which to get their answers to the U. S. District Court here.

One suit asked the court to require the Birmingham Board of Education to reorganize the local public school system on the basis of the May 17, 1954 decision of the United States Supreme Court. The other seeks to have the Birmingham parks and recreational facilities open and available to all citizens alike. Both suits were filed Friday, June 17.

Atty. W. L. Williams, Jr., of Birmingham and Atty. Ernest D. Jackson, Sr., of Jacksonville, Fla., and the Rev. F. L. Shuttlesworth.

Members of the Board of Education, the superintendent of schools, and the Commissioner of Public Safety are defendants.

The Rev. Shuttles issued the following statement: "The filing today of the suit to desegregate Birmingham's Public Schools plus the filing of additional pleas in the Public Park Case, indicates the grim determination of Negro Citizens of Birmingham to continue without let up the struggle for Full Freedom and First Class Citizenship."

"We are hopeful that the courts will decree in these cases that basis justice and fair play without which Democracy cannot survive. The right to go to school with others without discrimination and the right to the use of the public parks are fundamental goals of Citizenship which Negroes seek. Simply speaking we are pressing for the right to be free Men, Women and Children like all other Americans. We cannot accept anything less."

REV. F. D. SHUTTLESWORTH
Alabama Christian Movement for Human Rights

14d(1) 1960

ALABAMA

BIRMINGHAM, ALA. SUIT

# Negroes sue for mixed city schools, parks

The Birmingham News, Birmingham, Ala. Sat. 6/18/60 p. 1

BY DAN ROPER
News staff writer

Birmingham Negroes have filed new suits in federal court here in a renewed attempt to integrate city schools and parks.

One of the suits filed late Friday asks that the Board of Education be enjoined from "operating a bi-racial school system in the city of Birmingham."

**A second suit asks that city parks and playgrounds be integrated.**

The school suit was filed by the Rev. F. L. Shuttlesworth, James Armstrong Sr. and Vann English. Named as defendants in this litigation are all members of the Birmingham Board of Education, the board, Superintendent Theo R. Wright and Eugene Connor, commissioner of education.

The park suit is similar to one filed last year against the city and city officials. U. S. District Judge H. H. Grooms dismissed the city as a defendant in that suit.

THE NEW PARK SUIT names the city as the principal defendant. It does not name any city officials.

Announcement that the suits had been filed came during the last day's session of a convention of the (Negro) Southwest Bar Assn. attended by about 50 lawyers from 13 states.

**Judge William H. Hastie of the United States Court of Appeals, Philadelphia, who was Friday night's convention speaker, praised the integration efforts of Shuttlesworth and other Birmingham Negroes.**

In earlier meetings the association mapped other plans to desegregate through the courts.

Robert L. Carter, NAACP general counsel, urged the lawyers to help defend Negroes involved in "sit-in" cases.

"A LAWYER IS not advocating disrespect of the law by defending sit-ins," he said.

Arthur D. Shores, Birmingham Negro attorney, presided at the convention.

**Negro attorneys W. L. Williams Jr. and Ernest D. Jackson Sr. filed the park suit.** p. 2

The school integration suit was filed on behalf of the three plaintiffs' seven children and states that they and "members of their class" have suffered "irreparable" injury.

The complaint claims school zones are maintained in Birmingham "solely upon race and color."

'HELL TO PAY'

The Montgomery Advertiser

# Patterson Grimly Warns Against Integration Here

Montgomery, Ala.
Jour. 12-8-60

"If you think they've had trouble in New Orleans, just wait until they try integration here. There'll be hell to pay."

With that grim warning, Gov. John Patterson told newsmen Wednesday the people of Alabama might as well face the ultimate prospect of private schools or no schools at all. He said the people will not tolerate integration in the classrooms.

Patterson said trouble is inevitable if "the federal government continues its present approach," and if it starts, the only solution will be to close the schools.

"I'll be one of the first ones stirring up trouble, anyway I can," the governor declared, but he emphasized that he is opposed to mob violence. He did not elaborate on what kind of trouble he meant in the reference to his own participation.

"You're going to have rioting on your hands if they try forced integration," Patterson told reporters attending a news conference. "Then it ceases to be a school matter and becomes a police matter. And we will have to shut down the schools or somebody will get killed or hurt."

The governor said he is convinced the state can support private schools, either through grants-in-aid or by withdrawing from the field of education and financing privately operated schools with money now used to pay taxes for education.

Patterson's outburst came during a discussion of Monday's U.S. Supreme Court decision prohibiting segregation in restaurants in interstate bus stations. He called the ruling "pure judicial legislation and nothing else."

"Congress had better do something to curb the powers taken by the Supreme Court," he continued. "If they don't, the people will. And the riots in Little Rock and New Orleans will be just a forerunner of things to come if the Supreme Court continues to legislate."

Even though he expressed belief people in Alabama will not stand for integration, Patterson said "There are a few who will fight to protect the public schools at any cost."

Montgomery, Ala.

TOKEN INTEGRATION

He spoke derisively about those who advocate token integration arguing "there is no such thing as token integration or planned desegregation. Once you let the bars down it's all over."

The governor said he is convinced that most Negroes in Alabama "know the only way they are going to have public education is in a segregated system. They know they'll come out on the short end if they try to integrate."

On other issues, the governor:

1. Announced plans to ask the legislature for a bond issue to construct a new state office building equipped with a bomb and fallout shelter in the basement. He said the shelter could serve as an underground command post for the state government in event of enemy attack.

2. Urged the legislative council to undertake the job of writing a pilot bill to redivide Alabama into eight congressional districts instead of the present nine. Even though it might not stand up, he said such a measure would give the legislature something to work on.

The chairman of the council, Sen. Larry Dumas of Jefferson County, said his group will give the governor's recommendation "serious consideration" when it meets in January.

Alabama will lose one congressman in the 1962 election, and the legislature when it meets next May faces the task of redistricting the state.

# Strife Feared In Alabama Over Schools

The Washington Post
P. A. 12

MONTGOMERY, Ala., Dec. 7 (AP) — Gov. John Patterson today said the disorders in Little Rock and New Orleans are nothing as compared with what may happen in Alabama if efforts are made to desegregate schools here.

Washington Post 12-8-60

He told a news conference there will be no way to avoid trouble "if the Federal Government continues its present approach."

Washington Star

He said the people in Alabama "might as well make up their minds that they're going to have to go to private schools or shut down the schools" if the Federal Government attempts to desegregate them.

"I'll be one of the first ones stirring up trouble," the Governor declared, but he emphasized that he will not tolerate mob violence if he can prevent it.

The only alternative, he said, will be to close any school threatened with desegregation. Otherwise, he continued, "You're going to have a riot on your hands if they try forced integration. And somebody is going to get killed or hurt."

## Warns there'll be 'hell to pay'—

# Patterson says state will never mix schools

The B'ham News
B'ham, Ala.
Wed. 12-7-60

BY AL STANTON, News staff writer

MONTGOMERY, Ala., Dec. 7—Gov. John Patterson said today the riots in Little Rock and New Orleans are nothing compared to what may happen in Alabama if efforts are made to integrate schools here.

He told a news conference there will be no way to avoid trouble "if the federal government continues its present approach."

He said the people in Alabama "might as well make up their minds that they're going to have to go to private schools or shut down the schols" if the federal government attempts to desegregate them.

**"I'll be one of the first ones stirring up trouble," the governor declared, but he emphasized that he will not tolerate mob violence if he can prevent it.**

THE ONLY ALTERNATIVE, he said, will be to close any school threatened with integration. Otherwise, he continued, "you're going to have a riot on your hands if they try forced integration. And somebody is going to get killed or hurt."

**Patterson said he is convinced that the U. S. Supreme Court is going to do whatever necessary to tear down the segregation barriers and that if and when Alabama faces the problem, the choice will be private schools or none at all.**

The governor's comment was prompted by the discussion of Monday's Supreme Court ruling that restaurants operated in interstate bus stations cannot be segregated. He called that ruling "pure judicial legislation and nothing else."

PATTERSON SAID that unless Congress does something to "curb the powers taken by the Supreme Court, the people will. And the riots in Little Rock and New Orleans are just forerunners of things to come if the Supreme Court continues to legislate."

Then, applying his grim forecast to Alabama itself, he warned: "If you think they've had trouble in New Orleans, just wait until they try integration here. There will be hell to pa."

**"It makes no difference how many marshals they send down here," he continued. "They are not going to be able to accomplish what they seek to accomplish.**

"It's just like the bus case. They're going to destroy cafes in bus stations. People are not going to tolerate it. You can't keep them from fighting if you force them to eat together."

And, he added, the people will not stand for integrated schools either.

THE GOVERNOR said he is confident that the state can support private schools, either by grants-in-aid or by withdrawing from the field of education altogether and letting the money now being spent on school taxes be used for private schools.

On other matters, Patterson:

**1. Said he will ask the Legislature to authorize a bond issue of $3 or $4 million to construct a new state office building, including a bomb and fallout shelter in the basement. He said the shelter could be used "as an underground command post for the state government to operate" in the event of a nuclear attack.**

2. Urged the legislative council to start work immediately on a bill to re-divide Alabama into eigth congressional districts instead of the present nine.

HE POINTED out that the Legislature must face the redistricting problem next year and a bill drawn by the legislative council in advance will give "a starting point to work from."

He said he will make no recommendations for redistricting because, as he put it, "that is a duty that rests squarely on the Legislature."

# Teacher salary cut objections mount in state

BY JAMES SPOTSWOOD
News staff writer

Like rockets of warning, evidence of bitter teacher objections to proration-forced salary cuts mounted in Alabama Saturday.

Lawrence County teachers joined their associates in Marion and Choctaw Counties in no pay-no work notices to their boards of education.

**Speculation over a special session of the Legislature or some other emergency action grew over the week-end. Latest to call for a special session was State Sen. Dennis Porter, Chatom attorney.**

Gov. John Patterson, in Miami for the American Legion convention, was not available for comment. But Patterson earlier intimated he would call a special session of the lawmakers to consider reshuffling legislative membership.

Teachers meanwhile objected forcefully to any implication that they are asking more than payment of the amount they hold contracts to receive for their 1960-61 services.

THIS VIEW WAS voiced from the floor by classroom teachers attended the Marion County Education Assn. meeting at Guin yesterday. It came in a letter to The Birmingham News from Mrs. Lindsey C. Boney, of Gilbertown, who took issue with use of the headline, "Choctaw faces teacher strike in wage crisis."

As far as angry teachers are concerned, the 9.4 per cent proration order in effect means that they will lose a month's pay for the 1960-61 term without other action.

**The State Board of Education could declare a state of emergency permitting local school systems to close after eight months without loss of minimum program funds for next year.**

What effect such curtailment would have on the college careers of 1961 high school graduates has not been discussed. Presumably they could still be accepted as college freshmen by passing entrance examinations.

Gov. Patterson's proration order, issued after State Finance Director Charles Meriwether reported the lag in revenues, stunned state educators.

THE CUTBACK was the biggest in Alabama's five years of school money proration, cutting some $13 million from funds budgeted for the state's special education trust fund.

"This is a critical year for education," said Mrs. Margaret G. Vines of Bessemer, president of the Alabama Education Assn.

**"After four straight years of proration we have been deprived of $20 million that the State Legislature thought it had appropriated.**

"I really feel that it's time for the people to reexamine their sense of values and to decide whether or not they want an adequate educational program for their boys and girls.

# Choctaw Teachers Threaten Strike Unless Paid In Full

BUTLER (AP) — Teachers in this rural county in southwest Alabama are threatening to walk off their jobs next month unless school officials guarantee them a full paycheck.

Like many other teachers in Alabama, they took pay cuts during the last fiscal year because tax collections failed to come up to appropriations for education. The cutback—proration—of 8.34 per cent ate up the paychecks of teachers and principals in the county in September, the last month of the fiscal year.

**RECALL CONTRACTS**

"Neither the teachers nor the principals got their paychecks for the 12th month," said Supt. Wiley C. Allen.

A resolution passed Saturday by the Choctaw County Classroom Teachers Association demands the school system recall contracts for the 1960-61 year and re-issue them without proration riders.

The riders on the 1960-61 contracts state that salaries will be paid in full only if the money is available.

Unless this step is taken, said the association, the teachers will strike on Nov. 8.

"We don't know what we're going to do," said Allen.

"I've been trying to reach the governor to ask for a special session of the legislature to handle this problem," he said.

**ASK FOR SESSION**

"Also," he said, "we've got a local group working on a possible local tax to provide the needed money."

Proration cost Choctaw County $60,000 in school money, Allen said, "and we simply can't afford it."

Some districts dug into local pockets to provide money to fill out teacher paychecks in the face of proration.

**EIGHT SCHOOLS**

Allen said the teachers association represents 52 of the 87 white teachers in the county. The teachers are spread among eight schools — both elementary and high schools—with a total enrollment of about 2,200 pupils.

"No," he said, "the 35 teachers who aren't members of the association wouldn't be enough to keep the schools open."

# John Patterson Nixes Tax Hike

## Governor Rejects Special Legislature To Raise School Money

By The United Press International

MONTGOMERY, Ala., Oct. 25. —Gov. John Patterson said Tuesday he would not call a special session of the Legislature to raise more money for Alabama schools.

"I do not feel that a special session is warranted," Governor Patterson declared. "The people who favor a special session for education are advocating raising the sales tax one cent. I am against that. It hits the little man who can least afford to pay it. We have too many taxes now."

**Denounced March**

The Governor bitterly denounced a grassroots move to march on capitol hill to force him into calling an extraordinary session.

"I don't believe in marches," Governor Patterson said. "The last time they marched on Montgomery it was the Negro students from Alabama State.

"Marches are intimidation and force. I don't believe in mob action or mob force."

Governor Patterson said the blame for the money crisis falls on the county tax equalization boards "who refuse to equalize taxes. The state is doing everything possible. We will have raised the education budget by some 27 million dollars this year as compared with 1958. It is up to the counties to equalize their property taxes so that every man pays a just amount. Then there will be plenty of money for the schools."

The Governor emphasized "Business is not good in Alabama. Business is way off. Tonnage, for example, is way down at the state docks. The steel companies are not working at 50 per cent of capacity. The textile mills are on a three-day week. The only thing that keeps our economy going is industrial expansion, new industry. That's what is saving the state."

**Would Like More Use**

Governor Patterson said he would like to see "a reorganization of the schools. I would like to see the schools used more, all year around. As it now stands, the buildings remain idle and unused for long periods of time.

"Another thing. I would like to see the superintendent of education a member of the Governor's cabinet. Now there is dual responsibility which just doesn't work. I am responsible for getting the money through the Legislature and the school superintendent is responsible for spending it."

# Crenshaw Board Fires Teachers

## Seven To Lose Jobs Nov. 1 Because Of 9.4 Per Cent Cutback In Funds

By United Press International

LUVERNE, Ala., Oct. 21. — School Superintendent Clem Carpenter said Friday the Crenshaw County Board of Education will fire seven teachers Nov. 1 because of the 9.4 per cent cutback in school funds.

Mr. Carpenter said other steps taken by the board include consolidation of three schools, consolidation of several bus routes and cuts in maintenance allowances of vocational teachers and assessments of student fees.

Mr. Carpenter said the economic measures are expected to result in a savings of $33,000 annually, and it is hoped the current school year will be completed with the school system in better financial condition than last year.

**Debt Hits Limit**

**The Crenshaw County school system was already in serious financial condition prior to Governor Patterson's recent order to prorate school funds at the rate of 9.4 per cent. The system has reached its debt limit in borrowing from local banks.**

**Mr. Carpenter said the released teachers represented the number paid from local funds. The system will now employ the number of teachers whose salaries are paid by the state on the basis of average daily attendance.**

**Ten vocational teachers, five Negro and five white, will no longer receive maintenance allowances of $150 each annually.**

**High school students have been assessed at the rate of $10 a year and the elementary students are being asked to contribute the same amount, although it cannot be enforced in grades one through six. The fees would be used for school plant maintenance.**

**Urges Boycott**

**Meantime, Frank R. Stewart, state school superintendent, urged teachers to boycott a proposed march on Montgomery to force the Governor to call a special session of the Legislature to raise additional classroom funds.**

**Mr. Stewart said "it is not the duty of the teachers to beg and plead for financial support for schools." He added "a satisfactory program of public education will be provided when enough parents, patrons and lay citizens effectively demand adequate support . . ."**

**He called on school administrators to use available funds "to provide quality education so long as the money will last."**

**The school director said classrooms should close short of a nine-month term if no money is available.**

CONGRESSMAN ANDREWS DECLARES

# No Schools Better Than Integrated Ones

SEALE (Special) — "I would rather see the schools closed and burned to the ground than to see them integrated," said Congressman George Andrews to some 200 members of the Chavala P-TA here last week.

The third district congressman said his one desire as a congressman "is to try and keep as long as we can our so-called Southern way of life."

Andrews spoke about the progress of the Chattahoochee Valley river development, political platforms, powers of the federal government and integration.

He predicted that by 1962 Phenix City and Columbus will be on a waterway system with every inland port in America. He also predicted that by June, 1963, the hydro-electric production of the new dams in the Chattahoochee River will be enough to furnish power for cities the size of Birmingham and Montgomery combined.

Striking at the federal government, Andrews said, "The federal government is just plain unfriendly to our section of the country."

He said the political future of the South is as black as it was in reconstruction days. "Personally, I did not like the platform of either party. I did not see 15 cents worth of difference in their promises," he added.

Andrews urged the Chavala patrons to get ready for the school integration movement in Russell County, adding his personal statement that he would rather see the schools closed and burned than integrated.

tion in the school" but should protect voting rights.

At a news conference following an address to high-ranking officers at the Air University's War College Monday, Goldwater also said:

President-elect John Kennedy must depend to a large degree on Southern congressmen for success in his legislative program. However, Southern Democrats and conservative Republicans may block big spending programs other than a minimum wage increase and some kind of federal aid to education.

At Maxwell Air Force Base, Goldwater said the United States "should make it clear in the most explicit terms that Communist governments are not tolerated in the Western Hemisphere — and that the Castro regime, being such a government, must be eliminated."

He proposed an economic embargo, plus a naval blockade "if necessary." But he said he does not advocate using American troops in Cuba unless Russia intervenes.

## Claims Integration Illegal

MONTGOMERY (AP)—Sen. Barry Goldwater, R-Ariz., says the federal government has "no constitutional right to force integra-

# Dollarway School Gets First Negro

PINE BLUFF, Ark. — (UPI)—The Dollarway school, object of the most concentrated integration efforts since the drive to enrol Negroes in Little Rock Central high three years ago, was assigned its first Negro student Thursday.

She is Delores Jean York, six, a first grader and one of three first graders to apply for admission last May. The other two were assigned to the all Negro Townsend Park school, the Dollarway district school board announced.

The move came as a surprise to most leaders in this city, 42 miles southeast of race-rocked Little Rock. Others thought it was inevitable.

**QUIET ACTION**

George Howard, jr., Negro attorney fighting for integration at the schools for more than a year, said he wasn't aware the move was in progress until it was announced. Jack Boren, a leader in the Dollarway Citizens Council, in dicated he thought the school board had done all in its power to retain a segregated school system.

L. D. Pointer, president of the Pine Bluff White Citizens Council, said his group met Thursday night "to keep down anything that would cause disorder in the community."

The school has been the scene of several racial flare-ups since three Negroes attempted to enroll in the high school last year.

**PARENTS STONED**

The parents of the three were stoned during an assignment hearing, and a Negro who brought two of the three first graders to register last Spring was beaten by white bystanders.

The case of the three Negro high school students is still pending in the federal courts.

**One of the two first graders assigned to the Negro school was Andrew Augusta Howard, seven, son of Andrew Howard of Chicago and a nephew of the attorney handling the case.**

The other one was Diane Houston, six.

Lee Parham, president of the school board, said the token integration was the result of a court injunction to desegregate and was carried out under the Arkansas Pupil Assignment Law, which sets up criteria other than race for assignment.

"We have not given up," he said. "We have conceded a battle to end a war."

# Dollarway School Registration Nears

## Board Assigns Negro Girl To Institution

PINE BLUFF, Ark., Aug. 25. —(AP)— Pre-school registration for newcomers in the nearby Dollarway School district will be held Monday through Wednesday.

Last week, the Dollarway School Board assigned a Negro girl to the all-white Dollarway elementary school.

The girl, Delores Jean York, 6, was one of three Negro pre-schoolers who applied for admission to the white school. The board assigned the others to all-Negro Townsend Park School.

Dollarway board officials said they assigned the York girl in compliance with a Federal Court order to implement a desegregation plan.

Pending in the Eighth United States Circuit Court of Appeals in St. Louis is an appeal involving efforts of three Negro teenagers to integrate the white Dollarway High School.

# LITTLE ROCK PLAN IN COURT TUESDAY

## Pupil-Assignment Program Opposed by Negroes as Curbing Their Rights

Special to The New York Times.

LITTLE ROCK, Ark., March 19—The pupil-assignment plan that is the basis for token integration in Little Rock high schools will be tested Tuesday in Federal District Court here.

Wiley A. Branton of Pine Bluff, Ark., attorney for the Negro students in the Little Rock school integration case, has asked the court to void the plan.

Mr. Branton contends that all Negroes living within the attendance areas of Central, Hall and Technical High Schools should be allowed to attend those schools without first being screened by the board.

Board members have conceded frankly that they are using the plan to limit integration. Mr. Branton says it deprives Negro students of their rights.

**18 Negroes Appealed**

Last summer sixty Negroes applied at Central, Hall and Technical but the board assigned only three to Central and three to Hall. The others were sent to all-Negro Horace Mann High School. Later eighteen of the Negro students appealed their assignments and the board reassigned three of these to Central.

One of those originally assigned to Central had accumulated enough credits to be graduated, so there are now five Negroes in Central and three in Hall. Technical is still an all-white school.

Answering Mr. Branton's complaint when he filed it last August, the School Board asked the Federal court to endorse its entire program as evidence of "good-faith compliance" with court orders to desegregate its school system.

Mr. Branton's complaint and the School Board's request for an endorsement will be heard Tuesday by Judge John E. Miller of Fort Smith, Ark.

If Judge Miller grants Mr. Branton's request, the School Board will apparently be forced to admit all Negro students who want to attend Central, Hall or Techical High Schools and can qualify according to the board's school-attendance zones. It would remove what appears to be the last legal barrier to mass integration.

**School Board's Problem**

The School Board's problem has been to integrate enough Negroes to satisfy the Federal courts and yet satisfy reluctant white residents of Little Rock.

The board reopened the city's public high schools last August after they had been closed for a year by Gov. Orval E. Faubus to avoid integration.

The board was under court order to desegregate the top three grades of its school system. In doing this, it screened the high school students under the criteria of the two Arkansas pupil-placement laws. These permit the assignment of children to certain schools for a number of reasons, not including race. All students—white and Negro—were formally assigned. Those who asked for reassignment had to appear before the board for a hearing.

The board members contend that the court should approve this procedure.

Whether it is on a mass or token basis, integration must—under the original Federal court order—spread to all twelve grades of the school system by 1963.

# INTEGRATION STEP SET IN ARKANSAS

## Dollarway District Is Stated to Admit a Negro Girl— Suit Is Still Pending

Special to The New York Times.

LITTLE ROCK, Ark., Aug. 27—A degree of racial integration is scheduled to come to the Dollarway School District in southeastern Arkansas on Sept. 6 after a year and a half of court maneuvering.

The Dollarway School board has announced that Delores Jean York, 6 years old, will be admitted to the first grade at the previously all-white Dollarway School.

The board's decision to admit the Negro girl is based on the state's pupil placement laws and a Federal integration decree entered last summer.

At Dollarway, where violence has already occurred over the threat of school integration, public reaction to the board's announcement was outwardly calm and restrained.

A desegregation suit was filed by three Negro students on Feb. 6, 1959. The York girl was not one of them. The school board has consistently worked for a delay in starting integration and for a reduction in the number of Negro students to be taken into the formerly all-white school.

Federal Judge Axel J. Beck ruled last summer that integration must begin in the Dollarway School District, which is in suburban Pine Bluff. He upheld the school board's contention that the pupil placement laws were valid but he directed that the three Negro plaintiffs be admitted to the white school when the term of 1959-60 began.

The board appealed the decision. It said that under the pupil placement laws it could use a variety of criteria to assign students, including the three Negroes, to specific schools. It said the three Negroes should go through the administrative procedure outlined in these laws.

The start of the school term was delayed a month until the Circuit Court ruled on Sept. 21, 1959, that the three Negroes had to go through the pupil placement procedure. The school board subsequently turned them down.

Litigation continued during the school year and the board produced a "desegregation plan," later approved by the Federal District Court, in which it agreed to consider admitting Negroes to the first grade in the Dollarway School. But it frowned on "lateral transfers" of students after they had once been enrolled in a white or Negro school.

Under this plan, three Negro children, including the York girl, registered for the first grade in the Dollarway School last spring. The York girl was recently approved for admission to the white school—but the other two Negro children were assigned to the Negro school.

Appeals by the three original Negro plaintiffs and by the school board are being considered by the Eighth Circuit Court of Appeals and a decision is expected at any time.

At issue are whether the school board has a right to consider race in making pupil assignments, whether the board can bar integration except to pupils enrolling in the first grade, whether Negroes who went into the school have a right to be in Federal court instead of going through the state courts as the pupil placement laws require, and whether the Negro students who are appealing should be admitted to the all-white Dollarway School this fall.

CLINTON, Tenn., Aug. 27—The $750,000 Clinton High School building, replacing one dynamited in 1958, is opening again.

Registration began the last of this week and classes will start Monday.

Principal W. D. Human estimated that 925 to 950 students were registered. He expects fourteen Negroes, including eight who attended last year.

Integration at Clinton High School was ordered four years ago by Federal Judge Robert L. Taylor of Knoxville. Rioting broke out after John Kasper, an Eastern segregationist, held rallies here. National Guardsmen and state troopers were called to reinforce local officers.

**Maryland Area Lags**

Special to The New York Times.

ANNAPOLIS, Md., Aug 27—The State Department of Education has said that public schools in nine Maryland counties are expected to remain segregated this year.

Dr. David W. Zimmerman, assistant state superintendent of schools, said this week that while Negroes could theoretically apply for transfer to white schools this was not expected to occur in any of these counties.

The counties where segregation will continue this fall compose most of the Eastern Shore and St. Marys and Calvert counties. These areas are regarded as closest in the state to Southern attitudes.

In Baltimore City and thirteen of the twenty-three coun-

...des desegregation has taken place on a school-wide basis or in some grades.

Besides St. Marys and Calvert the following counties are expected to have no integrated schools this year: Caroline, Dorchester, Kent, Queen Annes, Somerset, Wicomico and Worcester.

## ROGERS PLANS ACTION

### Will Fight Circulation of Anonymous Literature

WASHINGTON, Aug. 27 (UPI) —Attorney General William P. Rogers said today that the Justice Department would "vigorously" enforce a Federal law banning circulation of anonymous literature in the current election campaign.

He emphasized in a statement that the law "applies not only to scurrilous material but to any political literature involving" candidates for Federal office.

The statute provides a fine of $1,000 or one year in prison or both for the dissemination of unlabeled campaign material.

# Arkansas School 'Obeys' Law: Lets In One Negro, 6

PINE BLUFF, Ark., Aug. 18 (AP).—The Dollarway School Board announced today it has assigned a six-year-old Negro girl to the all-white Dollarway elementary school near here for the fall term.

The girl, Delores Jean York, was one of three Negro preschoolers who applied May 5 for admittance to the first grade at the white school. The other two—a boy and a girl—were assigned to an all-Negro school.

Resistance to integration at Dollarway has been high. Many white parents have urged that it be blocked. In a statement issued with the announcement, the board said it hoped its action would help preserve Arkansas' pupil-assignment law which it said is "of vital importance to all school districts in this state . . . and the South."

The pupil-assignment law, designed to limit integration, has been held by Federal courts to be Constitutional on its face but the courts said it could be unconstitutionally applied.

# School District In Court Again

## The Commercial Makes Another Plea For Approval Of Policy On Desegregation

By The Associated Press

LITTLE ROCK, Nov. 19.—The Dollarway School District, which broke the race barrier in September, made another plea Saturday for court approval of its policy on desegregation.

The board filed in United States District Court an amended statement of policy that was roughly similar to one rejected by the Eighth United States Circuit Court of Appeals as too general.

Only major change is an agreement by the board to consider requests for transfers at upper grade levels. The previous statement ruled out these so-called lateral transfers and shut the door to integration to any Negro already enrolled in a Negro school.

**Reiterates Intention**

The board reiterated its intention to apply state pupil placement criteria to all requests for transfers. And it again stated that it would consider parents' desires in initial assignment of all children entering the first grade.

Under the latter section of the previous policy, Delores Jean York, a 6-year-old Negro girl, was admitted to the first grade of the all-white Dollarway School last September. Two other Negro first graders who asked to be admitted to Dollarway were sent to an all-Negro school.

The board's statement noted that the two Negroes whose applications were rejected did not file an appeal, as provided for under pupil assignment laws.

It said the appeals court apparently had misunderstod board's previous statement. For example, today's brief said, the appeals court was not officially aware that a Negro girl had been admitted to Dollarway before it made its ruling.

**Good Faith Shown**

The board said admittance of the girl was evidence of its good faith in complying with court-ordered integration.

The legal phase of the Dollarway integration case started three years ago when three Negro teenagers filed a suit seeking entry to Dollarway. They got an integration order, but this was reversed.

In a subsequent hearing, United States District Judge J. Smith Henley approved the board's policy statement and ruled that the teenagers were not entitled to be admitted.

The Appeals Court overruled Judge Henley on the matter of the policy statement but upheld the section of his order dealing with the teenagers.

# Dollarway School Makes Plea To Court

The Montgomery Advertiser

LITTLE ROCK, Ark. (AP) —The Dollarway School District, which broke the race barrier in September, made another plea Saturday for court approval of its policy on desegregation.

The board filed an amended statement of policy that was roughly similar to one rejected by the Eighth U.S. Circuit Court of Appeals as too general.

Only major change is an agreement by the board to consider requests for transfers at upper grade levels. The previous statement ruled out these so-called lateral transfers and shut the door to integration to any Negro already enrolled in a Negro school.

The board reiterated its intention to apply state pupil placement criteria to all requests for transfers. And it again stated that it would consider parents' desires in initial assignment of all children entering the first grade.

**GIRL ADMITTED**

Under the latter section of the previous policy, Delores Jean York, a six-year-old Negro girl, was admitted to the first grade of the all-white Dollarway School last September. Two other Negro first graders who asked to be admitted to Dollarway were sent to an all-Negro school.

The board's statement, filed in U.S. District Court here Saturday, noted the two Negroes whose applications were rejected did not file an appeal, as provided for under pupil assignment laws.

It said the Appeals Court apparently had misunderstood the board's previous statement. For example, Saturday's brief said, the Appeals Court was not officially aware a Negro girl had been admitted to Dollarway before it made its ruling.

The board said admittance of the York girl was evidence of its good faith in complying with court-ordered integration.

The legal phase of the Dollarway integration case started three years ago when three Negro teen-agers filed a suit seeking entry to Dollarway. They got an integration order, but this was reversed. In a subsequent hearing, U.S. District Judge J. Smith Henley approved the board's policy statement and ruled the teenagers were not entitled to be admitted.


# Dollarway School Makes Plea To Court

The Montgomery Advertiser

LITTLE ROCK, Ark. (AP) —The Dollarway School District, which broke the race barrier in September, made another plea Saturday for court approval of its policy on desegregation.

The board filed an amended statement of policy that was roughly similar to one rejected by the Eighth U.S. Circuit Court of Appeals as too general.

Only major change is an agreement by the board to consider requests for transfers at upper grade levels. The previous statement ruled out these so-called lateral transfers and shut the door to integration to any Negro already enrolled in a Negro school.

The board reiterated its intention to apply state pupil placement criteria to all requests for transfers. And it again stated that it would consider parents' desires in initial assignment of all children entering the first grade.

**GIRL ADMITTED**

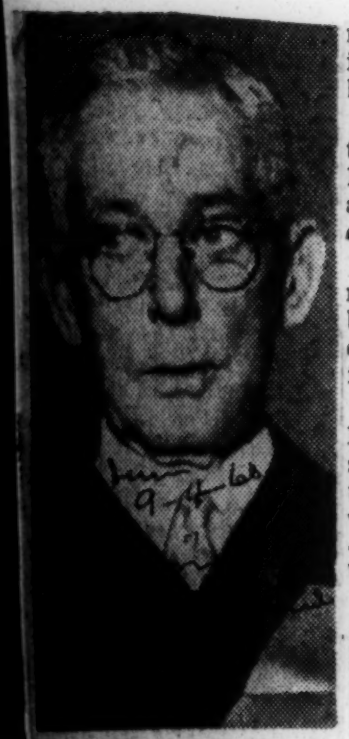
Under the latter section of the previous policy, Delores Jean York, a six-year-old Negro girl, was admitted to the first grade of the all-white Dollarway School last September. Two other Negro first graders who asked to be admitted to Dollarway were sent to an all-Negro school.

The board's statement, filed in U.S. District Court here Saturday, noted the two Negroes whose applications were rejected did not file an appeal, as provided for under pupil assignment laws.

It said the Appeals Court apparently had misunderstood the board's previous statement. For example, Saturday's brief said, the Appeals Court was not officially aware a Negro girl had been admitted to Dollarway before it made its ruling.

The board said admittance of the York girl was evidence of its good faith in complying with court-ordered integration.

The legal phase of the Dollarway integration case started three years ago when three Negro teen-agers filed a suit seeking entry to Dollarway. They got an integration order, but this was reversed. In a subsequent hearing, U.S. District Judge J. Smith Henley approved the board's policy statement and ruled the teenagers were not entitled to be admitted.



JOHN E. MILLER
U.S. district judge, Fort Smith, Ark., introduced a new aspect in the problem of school integration by rejecting an attempt by Negro students at Little Rock to bypass the Arkansas pupil placement law and enter Little Rock school board to admit them to predominantly white schools. Judge Miller ruled the board was using the placement law unfairly. The 14 Negro students had based entry to the school on residential proximity, which Judge Miller ruled is invalid reason.

member of the segregationist Capital Citizens Council. 'But I didn't know I had them this bad."

Police theorized that someone threw a stick of dynamite into Mann's car at 12:45 a.m. Sunday, about five minutes after he entered the cafe.

Officers said they had no immediate leads but indicated the blast had no connection with five earlier integration-linked bombings here.

Asked if he had any part in Little Rock's long integration squabble, Mann said, "The only thing I've ever been involved with is trying to fight integration —to stop it. I've attended all the White Citizens Council meetings."

The Federal Bureau of Investigation was aiding Little Rock police in the probe.

Mann is a night watchman for several businesses in the southwest area of the city. He said he had broken up several burglaries and that perhaps a would-be burglar bore malice toward him. He also delivers the Memphis Commercial Appeal.

The scene of the bombing was about four blocks west of Little Rock's main business district. It is near the State Capitol and a Negro business district.

The blast tore apart the upper portion of the car and caused extensive damage to a nearby bottling company building.

Little Rock has had five bombings and one attempted bombing since Sept. 7, 1959—all linked to the integration issue.

# BLAST PROBED IN LITTLE ROCK

## Car of Night Watchman Is Demolished

By WICK TEMPLE

LITTLE ROCK, Ark. (AP)—A puzzled night watchman Sunday tried to help police piece together evidence on a violent blast that demolished his car after he had parked it near a cafe and gone inside for an early morning lunch.

"I knew I had enemies," said Jack Mann, 55, of Little Rock, a

# Arkansas School Group Agrees to Student Transfer

## Dollarway Board Changes Plan In Answer to U.S. District Court

LITTLE ROCK, Ark., Nov. 19 (AP)—The Dollarway School Board filed an amended statement of policy on desegregation in U.S. District Court here Saturday. It was similar to a previous statement rejected by the Eighth U.S. Circuit Court of Appeals as too general.

The major change is that, in the new statement, the board says it will consider lateral transfers at upper levels. Such transfers were ruled out in the previous statement.

Under the board's definition, lateral transfer means a student changing schools once he is enrolled. Negro attorneys said the policy made it impossible for a Negro student to hope for admittance to an integrated school once he was enrolled in a Negro school.

* * *

THE BOARD REITERATED that it intends to apply Arkansas pupil placement law procedures to any request for transfer and it restated its intention to consider the desires of parents of pre-school children as to which school their children would attend.

The new plan says that "the defendants are in and will be in a transition" in regard to desegregation.

The board noted that one out of three Negro students who sought admittance to a white school was admitted. It said the two Negroes whose applications were rejected did not appeal the board's decision as they could have under the pupil assignment laws.

Further, the board said, admission of the one Negro, Delores Jean York, 6, to the first grade at the Dollarway School was evidence of the board's good faith in following court integration orders.

* * *

THE BOARD SAID the appeals court apparently misunderstood the board's intentions set out in the previous statement. It said information about the board's action in assigning the Negro girl was not in the record submitted to the appeals court.

Language on policy toward preschoolers was considerably more specific in the new statement. "No first-grade student shall be denied the right to attend the school (of his preference) on purely racial considerations," it said.

But, the board said, it would continue to honor voluntary preferences of students to attend schools where their races are in the majority.

District Judge J. Smith Henley ordered the board to evolve a new integration plan after the appeals court turned down the old plan.

# *Two Little Rock White Schools with 11 Negroes Reportedly Quiet*

LITTLE ROCK, Ark. (UPI)—Eleven Negro students are attending two Little Rock high schools with only minor incidents marring otherwise peaceful race relations.

All is quiet at Dollarway Elementary school, near Pine Bluff and 45 miles south of here, where one 6-year-old Negro girl integrated the first grade in September.

Department of education spokesmen said that at least four other Arkansas school district are accepting students of both races and that there have been non incidents.

Little Rock, the cradle of integration riots in 1957, appears to have accepted the Negro students of the high school level. The 11 are attending school under criteria set up by the school board under the state pupil placement plan.

The plan provides qualifications other than race permitting the board to assign certain students to certain schools.

Board president Everett Tucker Jr. said that the board actually assigned 13 Negroes to the two Little Rock high schools but that only 11 decided finally to attend. Seven are attending once race-torn Central High with 1700 white students, and four are at Hall in the elite residential section with 700 white students.

Tucker said that there had been minor incidents involving Negro and white students in the two schools but that it was impossible to determine if the incidents were racially inspired. None was of serious nature.

Central High school became the integration battleground in September, 1957, when Gov. Orval E. Faubus ordered out the Arkansas National Guard to prevent the entry of nine Negro students into all-white classes, with the stated purpose of preventing riots.

Under federal injunction, Gov. Faubus removed the Guard, after which rioting did break out, and the city police could not cope with the situation.

Then President Eisenhower, on the basis of Reconstruction Era laws, sent units of the 101st Airborne Division from Fort Campbell, Ky., and the armed paratroopers escorted the Negroes to classes.

The following year, the Little Rock high schools were kept closed, and students, both white and Negro, took their education where they could find it, in other districts in the state and nation, in a special private segregated school, and in extension courses.

# FAUBUS ENDORSES SCHOOL PROPOSAL

## Backs Measure to Permit Closings, but Voters Are Likely to Reject It

Special to The New York Times.

LITTLE ROCK, Ark., Nov. 5 —Gov. Orval E. Faubus, who pushed a school-closing constitutional amendment through the 1959 Legislature, has made a belated effort to obtain popular approval of the measure in Tuesday's general election.

The Governor ended a year and a half of silence on the proposal last week when he made a television address urging votes for it.

The proposal is known as Amendment 52. It would abol-

ish the State Constitution's guarantee of a free public school system and would permit school districts to conduct elections on whether to close their schools.

The bill was designed to thwart racial integration. If a school district closes its schools under Amendment 52, it would be allowed to divide its tax money—after paying loans and maintenance on the closed schools—among its students for use as tuition payments in private schools.

Amendment 52 went through the Legislature with little opposition at a time that Arkansans were emotionally upset over the racial question.

Under the amendment procedure, the school-closing bill could not be put to a popular vote until this year's general election. During the year-and-a-half waiting period, tempers have cooled and persons known for their opposition to racial integration have expressed their dissatisfaction with the school-closing amendment.

Mr. Faubus endorsed the amendment almost on the eve of the election, after remaining silent through a successful campaign for renomination last summer. His four opponents denounced Amendment 52.

His opponent in the general election—Henry M. Britt, a Republican lawyer—calls Amendment 52 "a hateful piece of legislation." He is urging voters to find Amendment 52 first on their ballot and vote against it, "then vote against the man who put it there."

**Faubus' Arguments**

In his television speech, Mr. Faubus made these points to illustrate the "need" for Amendment 52:

¶He said he thought that if integration were pushed any further at the Dollarway School near Pine Bluff, which now has one Negro student, "it will result in the closing of the school." "If it is closed under the present laws, what alternative is there for education of the students, both white and Negro? There will be none," he declared.

¶"Remember the civil rights platforms of the two major parties. The candidates are pledged to carry out this program."

¶"You know about the pledge of Mr. [Henry Cabot] Lodge to put a Negro in the Cabinet. I have no objection to a Negro or any competent person with the right attitude being in the Cabinet. But suppose Nixon and Lodge are elected and Thurgood Marshall [chief counsel for the National Association for the Advancement of Colored People] is appointed Attorney General? Won't we need Amendment 52 then?"

The Arkansas Education Association, with 14,000 white teachers in its membership, is fighting Amendment 52. So are the Statewide Committee against Amendment No. 52, local parent-teacher associations and civic groups.

Many of them reaffirmed their stand against the amendment after Mr. Faubus had come out for it.

They contend that the amendment would harm the education system even if it was never used to close a school. The proposal, they say, would also change the procedure for voting on school tax rates, making it more difficult to raise the levies.

Most observers believe the amendment will be defeated overwhelmingly.

# Lawyers rip Dollarway's assignment methods

LITTLE ROCK (ANP) — The Dollarway School board's assignment regulations were attacked by colored plaintiffs in U.S. District court last week as being "unconstitutional" in that colored people applying for reassignment must meet special requirments not imposed upon white students.

This charge was contained in a 36-page memorandum brief filed by Robert L. Carter, New York; and George Howard Jr., Pine Bluff, on behalf of three colored students seeking transfers from the all-colored Townsend Park school to the all-white Dollarway school.

The attorneys charged that the assignment regulations—based on last year's pupil assignment law — violate the equal protection clause of the 14th Amendment.

"IN SOFAR as the record disclosed," the attorneys said, "no children other than the plaintiffs have been required to give reasons why they should be admitted to a particular school; none have been subjected to public hearings with attendant exposure to threats, abuse and violence; none have been subjected to physical examinations, tests and interviews; and apparently no others have been denied admission and enrollment in the school for which they express preference."

A brief from the school board is expected to be filed with the court this week in support of its side, and another brief from the plaintiffs will follow within seven days before the case will be taken under advisement.

# Dollarway Told To Desegregate

## Federal Judge Gives Board 30 Days In Which To Work Out Plan

From The Commercial Appeal Little Rock Bureau

LITTLE ROCK, Feb. 19. — Federal Judge J. Henley Smith Friday ruled that Dollarway must end racial segregation in its schools.

He declined, however, a request by Negro plaintiffs to enter white classes for the remainder this term.

He said he felt the school board should be allowed to work out "an acceptable plan for elimination of racial discrimination" and gave the board 30 days in which to submit such a plan.

**Delayed Until Fall**

His ruling apparently delayed until next fall any entry of Negroes into Dollarway schools. His findings were neither wholly for the board nor for the three Negro students who since last fall have been seeking entry to the all-white Dollarway school located near Pine Bluff.

He ruled against the Negroes in dismissing a supplemental complaint asking that they be allowed immediate entry. But he ruled against the board in its argument that the Negroes hadn't exhausted administrative remedies under the state's 1959 pupil placement act.

The board, relying on that law in assigning pupils to classes, had contended that the plaintiffs first should have been required to appeal its "no entry" decision to a state Circuit Court.

**Right To Appeal**

Judge Smith said they had the right to come into Federal Court directly in an appeal from the board's decision.

The district judge said a formal order will follow the 26-page memorandum opinion he handed down Friday.

Herschel Friday, Little Rock attorney representing the board, declined comment. He said he hadn't had time to study the ruling thoroughly.

ON SCHOOL FRONT:

# 3 seek to attend Dollarway School

PINE BLUFF, Ark. — Three six-year-olds, last week, applied for admission to Dollarway School. The school board has promised to process the applications as soon as possible.

Ivey Anderson, 75-year-old grocer who drove the children and their parents to the school, reported that he was beaten by two white men while he waited for the children and their parents.

The children, seeking admission to the first grade in September, are Andrew Algusta Howard, son of Andrew Howard of Chicago and nephew of George Howard Jr. of Pine Bluff, local attorney; Linda Diane Houston, daughter of Mack Houston; and Delores York, daughter of John D. York.

* * *

**MEMPHIS, TENN.** — Attorneys for the Memphis Board of Education last week asked the Federal Court to dismiss a suit against it filed by [illegible] pupils.

In calling for a [illegible] the case, the board [illegible] only one of the 18 pupils he applied for transfer and that the pupil's request was turned down.

It was added that no appeal was made after the application for transfer was denied.

It was further added that the board operates under a pupil placement law and that the plaintiffs have not followed the legal procedure in appealing their case.

CINCINNATI — A new date is scheduled to be set for Lawrence Ashcraft, 30, on two counts of contributing to juvenile delinquency. The charges are the result of his failure to send two children to school.

Ashcraft, an insurance man, was quoted as saying at the time of arrest that he would rather go to jail than comply with the order to send his two sons to Columuan School which he says is predominately colored.

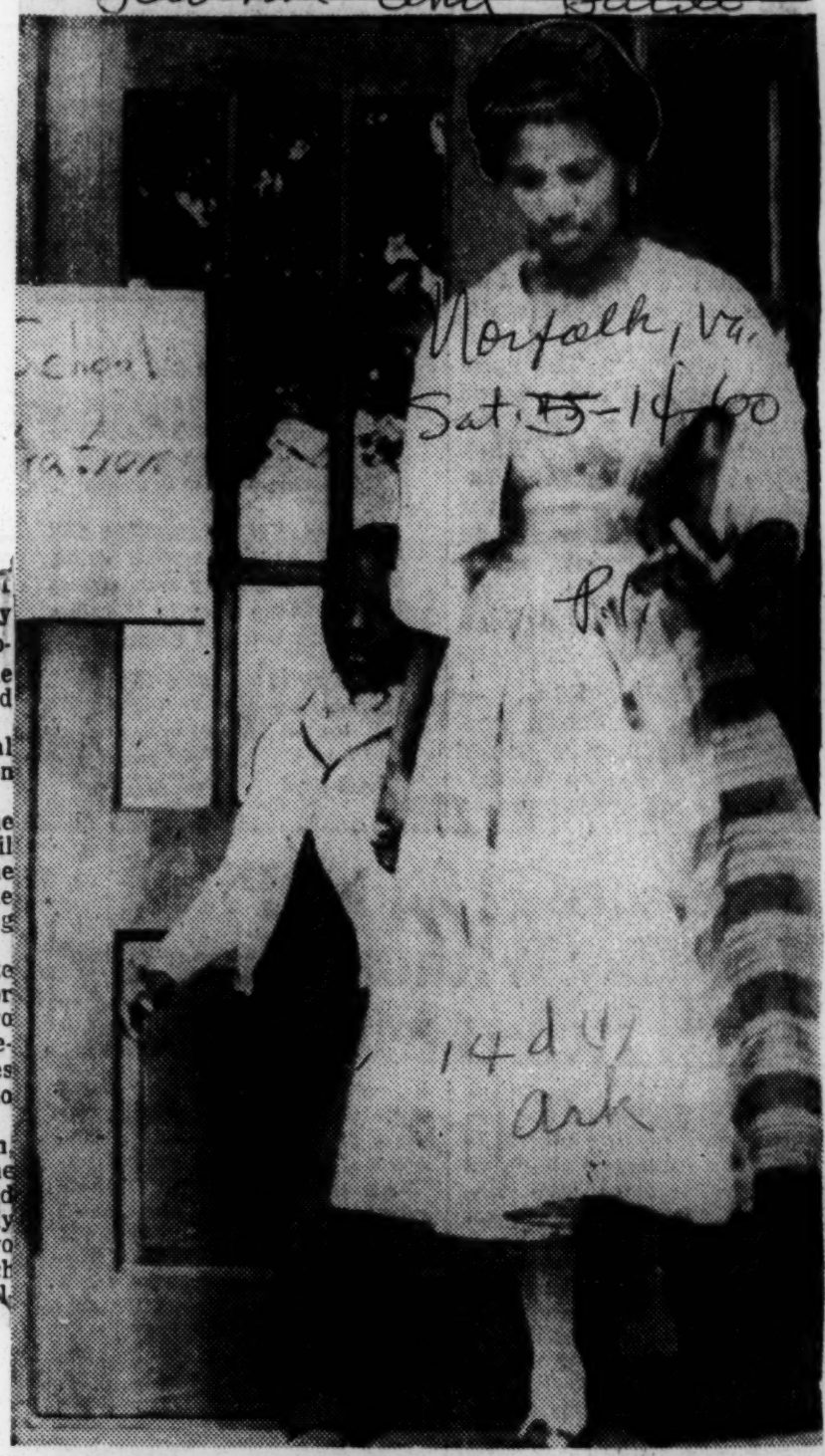
## Will Register Negro For Fall Term

PINE BLUFF, Ark.—(AN[illegible] The Dollarway school district will hold registration for students who expect to enter the first grade this fall.

The Dollarway school board told United States District Judge J. Smith Henley it would consider the requests of any Negro parents who wish their children to be enrolled in white schools.

This was in reply to a court order requiring the board to submit a desegregation plan.

# Segregation At Dollarway



Little Andrew A. Howard (left), of Chicago, son of Andrew Howard, brother of NAACP attorney George Howard Jr., walks with a woman (who did not give her name) while attempting to register at "lily white" Dollarway School May 5 in Pine Bluff, Ark. Ivey Anderson, who drove young Andrew and another colored child to the school, told police he was knocked down and threatened by a "big, stout white man."

# Little Rock School Board Must Decide Negro Quota

LITTLE ROCK, Ark. (AP) — The Little Rock school board will meet Wednesday night to decide how many Negro students it will admit this fall to predominantly white high schools.

The Arkansas Gazette reported last night that the board contemplates assigning no more than seven additional Negroes to once-white schools. Three of eight attending white schools now are eligible for graduation.

Board President Everett Tucker Jr. said the board has not reached a firm decision on pupil assignments and any speculation about the number of Negro students is premature.

The Gazette said 35 Negro students qualified through psychological tests for transfer to white schools but only seven of these expressed a desire to attend a white school. Twelve other Negro students applied for integrated education but failed to qualify under the test, one of 16 assignment criteria set out in a state pupil assignment law, the Gazette said.

**SEVEN POSSIBLE**

If seven new Negro students are admitted and the five now attending elect to return to white schools, Little Rock would have 12 Negroes attending with about 4,000 whites.

Negroes first were admitted to Little Rock high schools in 1957 under protection of federal troops called out after Gov. Orval E. Faubus blocked integration with National Guard troops.

Faubus closed the city's four high schools against integration during the 1958-59 school year, using a hastily enacted school closing law. A federal court invalidated the law in June, 1958, and the school board reopened the schools last fall, using the pupil assignment law to limit integration.

Pending now before U.S. District Judge John E. Miller is a suit filed by 16 Negro students whose applications to attend white schools were rejected last fall. Miller could order the board to admit some of these plaintiffs. No decision is expected in late June or early July.

# Dollarway School Lawyers To Argue Race Appeals Case

LITTLE ROCK, Ark. (AP) — Two Dollarway School Board lawyers will argue in a federal appeals court Monday that a student's race can be considered in his assignment without violating constitutional rights.

The attorneys, Herschel V. Friday Jr. and Robert V. Light of Little Rock, took this position in a 75-page brief filed with the U.S. Eighth Circuit Court of Appeals at St. Louis.

Three judges of the court will hear oral arguments in a triple-decker appeals case.

For more than a year, Negroes have skirmished in court attempts to gain admittance to an all - white Dollarway school near Pine Bluff, Ark.

Friday and Light said their brief summarized the arguments they will make at the St. Louis hearing, set for 10 a.m. (CST) Monday.

The Dollarway lawyers contend the school board established a pattern of constitutional application of Arkansas' pupil placement law.

Their brief said the board would be derelict if it failed to ask in each case whether a child could adapt to the conditions in a school.

The consolidated appeals hearing will include these three appeals:

A request by two Negro teenagers, Corliss Smith and James Warfield, for reversal of U.S. District Judge J. Smith Henley's Feb. 19 ruling which refused them entry to a white Dollarway school.

The Dollarway board's effort to have overturned a portion of Henley's February ruling which said Negroes had the right to push their litigation in federal court.

# 3 Judges Hear Dollarway Suit

## U.S. Appeals Court Takes Integration Case Under Consideration

By ALLAN MERRITT
Associated Press Staff

ST. LOUIS, June 27 ETAOINshrdlu

ST. LOUIS, June 27.—Racial integration need not necessarily result from constitutional application of state pupil assignment laws, Arkansas attorneys argued Monday.

Lawyers for three Negro teenagers who have unsuccessfully sought admission to the all-white Dollarway School near Pine Bluff, Ark., charged the Arkansas pupil assignment law is being used as a subterfuge to avoid a mixing of the races.

The arguments arose at a hearing before the United States Eighth Circuit Court of Appeals on consolidated appeals in a prolonged legal battle over desegregation in the Dollarway school district.

The three-judge court took the case under consideration after a two-hour and 15-minute hearing. There was no indication when a ruling will be made.

**Law Under Fire**

The Arkansas pupil assignment act, previously held by the Appeals Court to be constitutional on its face, came under fire by attorneys for the Negro children. So did the Dollarway board's policy statement on desegregation, approved in Federal District Court at Little Rock last April.

"The report is void of any affirmative steps to be taken," said Richard Carter of New York, an attorney for the National Association for the Advancement of Colored People.

"The report does not contemplate a definite starting date . . . (it) offers no benefit whatever to any of the minor plaintiffs to this action, or to other Negro children now enrolled in segregated schools."

The school board, in its policy statement, promised to consider the admission of some Negroes at the first-grade level next fall. It did not say that some would be admitted to the all-white school, merely that their applications would be considered.

The 16 criteria provided by the Arkansas law include some dealing with psychological factors. These were assailed by Carter and George Howard of Pine Bluff, another Negro attorney.

Herschel H. Friday Jr., attorney for the Dollarway board, accused the Negro lawyers of arguing a matter that already had been decided.

**Can't Disregard Race**

"We suggest that it would be quite impossible for a school board in a district which had historically practiced segregation of the races in the public schools to disregard race as a fact—that is, it exclude it from their minds during their deliberation on pupil assignments," Friday said.

Two of the criteria that were disputed are:

"The psychological effect upon a pupil of attendance at a particular school.

"The maintenance or severance of established and psychological relationships with other pupils and with teachers."

Friday said that, as he understands it, the courts have said a board may consider race as a factor in making pupil assignments if the district is in a transition period.

A Negro child could be destroyed psychologically, he said, by being thrust into a group of another race where he wold be considered an unwelcome intruder.

**Sound Concept**

It is merely a sond educational concept, he said, that in the absence of some compelling reason, a child is best served by continuing his schooling among friends and under teachers he knows.

Howard called the board's policy statement and its interpretation of the pupil assignment law "a scheme designed to circumvent" the Supreme Court's integration mandates.

The panel considering the case includes Chief Judge Harvey M. Johnsen of Omaha, Judge M. C. Matthes of St. Louis and retired Federal District Judge John W. Delehant of Omaha, on special assignment.

The three Negro children involved in the original court action — Earnestine Dove, 17, James E. Warfield, 15, and Corliss Smith, 15—were denied a transfer from the all-Negro Townsend Park School to Dollarway under the pupil assignment procedure. The Dove girl since has been graduated from high school.

# Pupil Placement Is Board's Plea

LITTLE ROCK, Ark. (AP)—The Little Rock school board has asked federal Judge John E. Miller to approve its "transition procedure" from segregated to non segregated schools involving use of state pupil placement laws.

In a brief supporting its defense against a motion by a Negro attorney asking that students be assigned to schools by attendance areas, board attorneys said the transition procedure would bring constitutionally desegregated schools with the "deliberate speed" established by the U. S. supreme court's 1944 desegregation decision.

The brief said that student assignment was contemplated in the original plan of desegregation in Little Rock, which took effect in 1957. It said that screening reduced the number of Negroes eligible to enter all-white schools to 17, of which nine were finally admitted to Central High school.

"Obviously there was no right . . . on the part of any student to go to school because he lived in a particular school attendance area," the brief added. "All understood that there was to be screening and assignment."

shift 14 Negro plaintiffs from the all-Negro, Horace Mann High School.

The Negroes wanted to be assigned to Central, Hall or Technical high schools on the basis of residential area.

Miller said no student was automatically qualified to attend a particular school just because he lived near it.

His ruling also said, in effect, that Negroes must file individual suits rather than class actions in any future integration matters.

The 14 Negroes had filed their protest against the school board's handling of the placement law as a "class action" on behalf of the class or group they represented.

Wiley Branton of Pine Bluff, Negro attorney for the plaintiffs, said "I don't think there's any question that we'll have to appeal the order."

# Little Rock Negro Mixing Bid Rejected

LITTLE ROCK, Ark. (AP) — A federal judge Friday rejected an attempt by Negro students to bypass the Arkansas pupil placement law and force the Little Rock school board to let them enter predominantly white schools.

U.S. District Judge John E. Miller of Fort Smith ruled the school board was using the placement law fairly in its refusal to

Beiman on business—

# Integration fight very expensive

BY IRVING BEIMAN, News business editor

The terrible cost of the school integration fight on a community's industrial growth is pointed up in the July-August issue of The Harvard Business Review.

An article on public education in the South relates that over the years 1950-57, an average of five new plants a year came to Little Rock, (Ark.) ranging in value from $100,000 to more than $3 million.

In 1957, before the outbreak of violence in September that year, eight new plants had been installed.

BEIMAN

But since then, no new plants at all have come to Little Rock.

The head of Little Rock Industrial Development Corp. spelled out what has happened. In his words:

"It's sort of an insidious thing. The principal damage comes about when you don't even know that it's happening to you. You just hear from the X Company that is on the prowl for a new plant location. You never hear from them. They are not going to write you and say 'We were going to look at Little Rock, but now we're not'."

THE BOARD'S FILES also have letters in evidence thereof. One letter reads:

**"As you know from our previous discussions, certain key employes' reluctance to leave the ——— area made it almost impossible to move. The wives of these employes played a prominent part in their decisions not to move to Little Rock. The adverse publicity given your area on the 'school issue' was certainly no help to our cause."**

Another prospective industry wrote:

"You may dismiss ——— from consideration. Our contacts with Arkansas have given us an unfavorable opinion of that state in comparison with Tennessee, Mississippi or Missouri. We have no desire to be involved in the segregation problems current in that state."

# ARKANSAS PLAN ON PUPILS UPSET

The N. Y. Times

## Court Finds No Aim Toward a 'Reasonable Start' in Dollarway Proposal

Wed. 8-31-60

ST. LOUIS, Aug. 30 (AP)—The Eighth Circuit United States Court of Appeals held today the rural Dollarway, Ark., School District had not made a reasonable start toward desegregation of its schools.

The court found the school board of the district, just outside Pine Bluff, Ark., had applied the previously approved Arkansas pupil assignment law illegally.

The ruling, which followed a consolidation of all phases of the complex Dollarway case, was regarded as important for its effect on the application of pupil assignment laws adopted by several Southern states.

### Insists on Integration

The opinion appeared to upset the Dollarway board's contention that such state pupil assignment laws might be applied in a way that need not necessarily result in integration of pupils.

"It is our view that the obligation of a school district . . . cannot be said to have been met by a process of applying placement standards, educational theories, or other criteria, which produce the result of leaving the previous racial situation existing, just as before," the court said.

It will be up to the Federal District Court at Little Rock to determine what steps the Dollarway district must take to bring itself into compliance with the law. The case was remanded to that court for further preceedings.

The three-judge Appeals Court, headed by Chief Judge Harvey M. Johnsen, said the Dollarway board must make "a more definitive expression" of its desegregation policy and program.

"After a lapse of six years," the court said, "we think a board should be required to come forth with something more objectively indicative as a program of aim and action than a speculative possibility wrapped in dissuasive qualifications."

### Press Dispatch Cited

One unusual feature of the thirteen-page opinion was that the judges took note of a press dispatch on the Dollarway board's decision to admit one 6-year-old Negro girl to the first grade in an all-white school for the forthcoming year. She would be the first Negro admitted to all-white schools there.

The opinion pointed out that the Dollarway board, in announcing the action, had stated "it hoped its action would help preserve the Arkansas pupil assignment law."

"We do no more than to note the item," the court said.

The court affirmed a District Court's denial of a complaint by three Negro teen-agers who brought the original suit after being denied admission to the white school in the Dollarway district. The Appellate Court also affirmed a District Court ruling against the Dollarway board in its effort to have the suit dismissed for lack of jurisdiction.

The Arkansas pupil assignment law sets up several criteria, to be considered in assignments, that deal with such matters as emotional stability, readiness ability, and adjustment potential.

---

### Nashville Spurs Integration

NASHVILLE, Tenn., Aug. 30 (AP)—White and Negro students enrolled together without disturbance today in the first four grades of several Nashville schools.

Today's registrations marked the start of Nashville's fourth year of gradual integration under approval of the Federal Courts. The routine registrations were in sharp contrast to the start of desegregation three years ago.

At that time one school building was dynamited at night and the police arrested dozens of White and Negro adults during several days of violence and unrest.

### Houston Starts Registration

HOUSTON, Aug. 30 (UPI)—Registration started today in the kindergarten and first grade of Houston's 144 elementary schools, which are under orders to integrate immediately. But there was no report of any Negro child's registering in a white school.

# Arrest Dad Of First Negro Pupil

Chicago Defender

Sat. 8-27-60

PINE BLUFF, Ark. — (UPI) — John B. York, whose six-year old daughter was the first Negro to attend the formerly all-white Dollarway schools, was arrested Sunday on charges of drunk and reckless driving and disturbing the peace.

Sheriff Harold Norton and state police Sgt. F. C. Scroggin arrested York at his home after a Pine Bluff grocer signed a warrant.

The grocer, Oscar W. Corder, said York ran through his driveway spinning the wheels and racing the motor of his truck.

York was rleased in $300 bond signed by George Howard, jr., Negro attorney who has represented the National Association for the Advancement of Colored People in the fight to integrate the Dollarway schools.

York's daughter, Delores Jean York, became the first Negro pupil at the school when she started in the first grade Wednesday. No incidents have been reported at the school.

# Father Of Pupil At Dollarway School Draws $100 Fine

Atlanta Daily World

Wed. 8-31-60

PINE BLUFF, Ark. (ANP) — John D. York, father of six-year-old Dolores Jean York, the first Negro pupil to be admitted to the previously all - white Dollarway school, Pine Bluff, Ark., was fined $100 and sentenced to three days, the result of an argument with a white grocer, O. W. Corder, who drew a $10 fine.

Both were charged with disturbing the peace.

Corder had followed York to his home to continue the argument, testimony disclosed. York is appealing the fine.

# Little Rock's Schools Are Back to Normal

The Atlanta Constitution

Atlanta, Ga. P. 15

IOWA CITY, Iowa (UPI)—The school system in Little Rock, Ark., is back to normal again after the integration crisis and "ther earen't 15 students who are missing school because of integration," the Little Rock school superintendent said Thursday.

Supt. Terrell Powell said the people of Little Rock have shown in the past two years they are more for public education than they are against school integration.

Tru, 12-2-60

Powell told the school administrators and supervisors conference at the University of Iowa that there had been no disturbances in Little Rock schools this year.

He also noted that this year voters rejected a proposed constiutional amendment to abolish the public school system in Arkansas, and make it possible for the state to support private, segregated schools, by a 3 to 1 margin.

"We also had more than 400 applications for teaching jobs," Powell said.

"Many of the teachers wanted to come to Little Rock because they felt we had passed the crisis in integration while the schools at which they were teaching had not faced it yet."

Arkansas Gazette
The Atlanta Constitution

# Opened Schools Give Hope To Little Rock's Industry

Atlanta Ga.
Wed. 2-3-60

To a state that has led all the rest in population decline over the past decade, the report that Arkansas has just completed its best industrial year since 1956 and one of the best in its history should be gratifying indeed. The estimate is that industrial expansion, completed and planned, totaled 118 million dollars in 1959 and jobs for 11,000 persons entered on present and future worksheets.

These impressive figures are a tribute to the hard work and persistence of the Arkansas Industrial Development Commission and the State Chamber of Commerce and they show what can be done with good organization and a good product, which is Arkansas itself. AIDC Chairman Winthrop Rockefeller has hailed the year-end report and predicted that rapid industrial expansion will continue through 1960.

In marked and frustrating contrast is the industrial situation at Little Rock. Just as did 1958, the year just passed ran its course without the capital city's attracting so much as one major new industry. Not since September, 1957, when Gov. Faubus threw up a ring of National Guardsmen around Central High School to thwart court-ordered desegregation, has Little Rock been able to claim a single new industry.

Competition for industry across the South is keen. The South has the room and the resources and the labor supply that expanding industry must have. Perhaps no other city below the Mason-Dixon Line has more to offer than Little Rock in terms of these requisites and also in competent and dedicated men to "sell" the area. Proof of this was in the new plants that were coming in rapid succession to the Pulaski County metropolitan area prior to the upheaval of 1957.

Industrial corporations don't want to risk substantial capital in a turbulent situation such as Little Rock had in the 1957-58 school year and they are not likely to consider locating where the public school system ends with the ninth grade, as it did in Little Rock in the 1958-59 year after Gov. Faubus shut down the high schools.

Now the Little Rock Chamber of Commerce reports that with the restoration of order to the city and the resumption of a complete public system (and, it should be added, a historically outstanding one), it is once more receiving inquiries from interested firms. The inquiries are encouraging, to say the least, to an organization that went many long months without ceasing to work for industry but never got so much as a feeler.

The near-record industrial year just reported in Arkansas adds to the hope of Little Rock's Chamber of Commerce that industrial capital's resistance to this city's natural appeal is ending. Certainly the city's sacrifice has been heavy enough already. In any case, what's needed most now is one substantial new industry to lead the way.

# School board may appeal

The Atlanta Const.
Baltimore Md.
Sat. 3-12-60

LITTLE ROCK — Plaintiffs in the Dollarway integration case have again appealed portions of Federal Judge J. Smith Henley's Feb. 19 decision to the Eighth United States Circuit Court of Appeals at St. Louis.

The notice of appeal, filed in federal district court here, said the three colored pupils would appeal on these points:

1. Judge Henley's refusal to order the Dollarway School Board to admit the three pupils to the all-white Dollarway school.

2. Henley's dismissal of the supplemental complaint through which the pupils had sought to gain admittance to the white school.

3. Henley's decision that colored pupils and the school board should pay their own court costs.

* * *

**THE NOTICE** of appeal also contended that Judge Henley should have ordered the admittance of the three pupils "at a definite time."

It was filed by George Howard Jr., an attorney, of Pine Bluff, Ark.

Legal sources expressed the view that the school board would take a cross-appeal on certain portions of Judge Henley's decision unfavorable to the board.

In his decision, Judge Henley ruled out a school board contention that the Dollarway pupils should have taken their case to the state courts as provided by the Arkansas pupil placement law. Legal sources mentioned this as certain to appear in any cross-appeal that the board might file because of its effect not only on Dollarway but one other school districts of the state.

Pupils in the Dollarway case are Earnestine Dove, James Warfield and Corliss Smith. This marks the second time the case has gone through federal district court to the Eighth Circuit Court of Appeals.

Last August, Judge Axel J. Beck held that the Arkansas pupil assignment law was constitutional but ordered that the three colored pupils be admitted to Dollarway at once. Both sides appealed.

On Sept. 20, the Court of Appeals upheld Judge Beck on the pupil assignment law but told the three pupils to follow the procedures set up in the law in seeking admittance to the white schools. After following these procedures and being rejected, the pupils went back into Federal district court with the supplemental complaint that Judge Henley ruled on Feb. 19.

In refusing to order the pupils admitted, Judge Henley said he wanted the board to be given reasonable opportunity to work out an acceptable plan for the elimination of racial discrimination without being compelled to accept in advace transfer requests by colored pupils at the high school level.

# 74 seek to integrate in Little Rock

Afro-American
Baltimore Md.
Sat. 6/25/60 pg

LITTLE ROCK—A deadline rush developed last week when a total of 74 colored pupils asked the school board's permission to attend classes on a desegregated basis.

The number included 39 Dunbar Junior High School pupils who asked transfers to West Side, East Side and Forest Heights Junior High Schools. Also 35 Horace Mann High School pupils asked reassignment to Central, Hall and Technical High Schools.

Colored pupils already have been assigned to classes at Central and Hall High Schools.

* * *

**THE REQUESTS** from the Dunbar pupils were the first attempts to desegregate Little Rock junior high schools. A 1956 court approved integration of junior high schools for this fall.

But according to the school board, junior high schools will not be desegregated until integration in high schools is an accomplished fact. Phase 1 of the plan, it was ruled at the March meeting, has been impeded and therefore Phase 2 will not begin in the fall.

Of the request from Dunbar 23 asked transfers to West Side, and 7 to Forest Heights. Some 30 Horace Mann pupils asked to go to Central, 3 to Hall and 2 to Technical.

* * *

**THE BOARD** announced that none of the transfers sought by white pupils had anything to do with integration or desegregation. The 115 white pupils, it was explained, were appealing assignments made to alleviate overcrowding.

If the school board refuses to approve transfer requests, pupils desiring further appeals may take the issue to court.

# NAACP lawyers seek desegregation in Arkansas

Afro-American, Baltimore, Md.
Sat. 7/9/60 p. 2

In St. Louis, NAACP attorneys for three colored teen-agers seeking admission to Dollarway School near Pine Bluff, Ark. charged the Arkansas Pupil Assignment Law is being used as a subterfuge to avoid desegregation.

The argument was made at Eighth Circuit Court of Appeals on consolidated appeals in a prolonged legal battle over desegregation in the Dollarway School District.

Robert Carter of New York, an NAACP attorney, told a three-judge panel that the standards set forth in the state placement law for determining where pupils should attend schools were used in Dollarway "to assign pupils on the basis of race in order to frustrate and impede the Negroes' right to unsegrgated school."

**IN NEW YORK CITY** School Superintendent John J. Theobald said the city's attempt to combine racial integration in the schools with improved educational standards for all is showing limited progress against heavy odds.

In a 196-page progress report, the school chief warned against making the schools the scapegoat "for all the shortcomings of the society in which we live."

Three out of four of the public elementary school pupils in Manhattan are either colored or Puerto Rican, the report showed. By 1980, the city's colored and Puerto Rican population will grow from its present total of 1,650,000 to 2,500,000, Theobald said.

# Little Rock Accepts Integration In Schools as Extremism Ebbs

Special to The New York Times.

LITTLE ROCK, Ark., June 25—A third year of integration will begin this fall at Little Rock public schools. A dozen Negroes, perhaps a few more, will be enrolled in formerly all-white schools.

There appears little likelihood of violent segregationist demonstrations such as those of 1957 and 1959, or a school closing, as in 1958.

Extremist agitation has subsided and a majority of the city's white residents seem to be in agreement with the moderate policies of the school board.

The board is making assignments to the four public high schools under the state's pupil-assignment laws. It used the same laws last summer in reopening the high schools after they had been closed a year by Gov. Orval E. Faubus.

The twelve Negroes assigned to Central and Hall High Schools represent the largest number to attend integrated schools at Little Rock. In 1957, when only Central was integrated, nine Negroes were enrolled in mixed classes.

The high schools were shut the next fall. They resumed operation last summer with five Negroes at Central and three at Hall.

A few weeks ago the school board announced that it had placed eight Negroes in Central for the 1960-61 school year and five in Hall.

This week the board trimmed to seven the number assigned to Central. One of the Negro students, Irma Jean Routen, 14 years old, had asked to be in the Central band. All eighty-five places in the band had already been taken, a board spokesman said, so the girl was reassigned to Horace Mann High School, where there still were some vacancies in the band. Horace Mann is all-Negro.

The girl's parents said they would appeal the new assignment. The board has already scheduled hearings for 189 students seeking reassignments, including seventy-four Negroes who want to go to formerly all-white schools rather than the all-Negro schools to which they have been assigned.

Some of the Negroes appealing assignments are in junior high school. The Little Rock integration plan approved by the Federal courts in 1956 and 1957 called for the desegregation of the entire school system in three stages, ending in 1963. The school board had been expected to desegregate the junior high schools next fall as the second phase of the plan, but it announced last spring that it had decided to delay this step.

# 6-Year-Old Negro Assigned To White Dollarway School

PINE BLUFF, Ark. (AP)—The Dollarway School Board announced Thursday it has assigned a 6-year-old Negro girl to the all-white Dollarway school near here for the fall term.

The girl, Delores Jean York, was one of three Negro preschoolers who applied May 5 for admittance to the first grade at the white school. The other two—a boy and a girl—were assigned to an all-Negro school.

Resistance to integration at Dollarway has been high. Many white parents have urged that it be blocked.

In a statement issued with the announcement, the board said it hoped its action would help preserve Arkansas' pupil assignment law which it said is of vital importance to all school districts in the state and the South.

The law, designed to limit integration, has been held by federal courts to be constitutional on its face but the courts said it could be unconstitutionally applied.

"It is our firm conviction that the board has acted in the best interests of all our citizens and all the schools in our district," the statement said. "We sincerely believe the patrons of the district will understand and support this action."

The board acted while an appeal from the latest ruling in a complicated integration suit was pending before the 8th U. S. Circuit Court of Appeals in St. Louis, Mo. The appeal was taken by three Negro teen-agers who were denied admittance to Dollarway.

School starts at Dollarway next month.

Dollarway has been the scene of several minor racial incidents.

Gov. Orval E. Faubus predicted, before he knew of the board's decision, that trouble might accompany any desegregation there.

Faubus was not available for comment on the board's announcement.

# Negro Girl Assigned to All-White School In Arkansas

PINE BLUFF, Ark. (AP)—The Dollarway School Board announced Thursday it has assigned a 6-year-old Negro girl to the all-white Dollarway school near here for the fall term.

The girl, Delores Jean York, was one of three Negro preschoolers who applied May 5 for admittance to the first grade at the white school. The other two—a boy and a girl—were assigned to an all-Negro school.

Resistance to integration at Dollarway has been high. Many white parents have urged that it be blocked.

In a statement issued with the announcement, the board said it hoped its action would help preserve Arkansas' pupil assignment law which it said is of vital importance to all school districts in the state and the South.

The law, designed to limit integration, has been held by federal courts to be constitutional on its face but the courts said it could be unconstitutionally applied.

"It is our firm conviction that the board has acted in the best interests of all our citizens and all the schools in our district." the statement said. "We sincerely believe the patrons of the district will understand and support this action."

The board acted while an appeal from the latest ruling in a complicated integration suit was pending before the 8th U. S. Circuit Court of Appeals in St. Louis, Mo. The appeal was taken by three Negro teen-agers who were denied admittance to Dollarway.

School starts at Dollarway next month.

Dollarway has been the scene of several minor racial incidents.

Gov. Orval E. Faubus predicted, before he knew of the board's decision, that trouble might accompany any desegregation there.

Faubus was not available for comment on the board's announcement.

# GIRL ASSIGNED TO DOLLARWAY

## Area High in Resistance to Integration

PINE BLUFF, Ark. (AP)—The Dollarway School Board announced Thursday it has assigned a 6-year-old Negro girl to the all-white Dollarway school near here for the fall term.

The girl, Delores Jean York, was one of three Negro preschoolers who applied May 5 for admittance to the first grade at the white school. The other two—a boy and a girl—were assigned to an all-Negro school.

Resistance to integration at Dollarway has been high. Many white parents have urged that it be blocked.

### ASSIGNMENT LAW

In a statement issued with the announcement, the board said it hoped its action would help preserve Arkansas' pupil assignment law which it said is of vital importance to all school districts in the state and the South.

The law, designed to limit integration, has been held by federal courts to be constitutional on its face but the courts said it could be unconstitutionally applied.

"It is our firm conviction that the board has acted in the best interests of all our citizens and all the schools in our district," the statement said. "We sincerely believe the patrons of the district will understand and support this action."

### INTEGRATION SUIT'

The board acted while an appeal from the latest ruling in a complicated integration suit was pending before the 8th U. S. Circuit Court of Appeals in St. Louis, Mo. The appeal was taken by three Negro teen-agers who were denied admittance to Dollarway.

School starts at Dollarway next month.

Dollarway has been the scene of several minor racial incidents.

Gov. Orval E. Faubus predicted, before he knew of the board's

# 6-Year-Old Negro Joins 1,137 Whites In School

The Courier-Journal
Louisville, Ky

From Wire Dispatches

A 6-year-old Negro girl began attending classes with 1,137 white students at Dollarway School in southeast Arkansas yesterday. There was no disturbance.

Delores Jean York was the first of her race to be assigned to the school.

School Board President Lee Parham said white children treated her "just as any other child."

### 'It Was Very Normal'

"It was very normal," he said. "Nothing special, just the same as if she wasn't there."

The orderly opening was presaged Monday night when L. D. Poynter, president of the Association of Arkansas Citizens Councils, said his group planned no demonstration and its members were being urged to accept the inevitable.

Racial feeling had been high in the Dollarway district, which serves a racially mixed neighborhood bordering Pine Bluff's western city limits.

In Houston, Negroes sought to enroll at six white schools yesterday as authorities made another unsuccessful effort to delay grade-a-year integration of the nation's largest segregated school district.

Plain-clothes policemen patrolled corridors at two schools as fall classes began. There was no trouble.

Parents of 13 Negroes seeking to enter all-white classes were told a ruling on eligibility of the children would be made tomorrow. No actual classroom attendance of Negroes is expected before Monday.

Joe Reynolds, School Board attorney, made hasty plans for another effort to delay the Federal Court integration order.

### Advised By Phone To Wait And See

Reynolds was preparing to leave for the airport when Federal Judge Ben C. Connally, holding court in Laredo, advised him by telephone not to come. Connally told Reynolds to wait and see what course integration takes before trying for another stay.

Connally's order that integration of the 170,000-student school district begin yesterday with the first grade was upheld Tuesday by the Fifth United States Circuit Court of Appeals at New Orleans. Requests for stays earlier had been denied both by Connally and the New Orleans court.

Associated Press Wirephoto

AWAITING THE VERDICT . . . Anthony Massey, 6, waits in a Houston classroom while his grandmother formally applies to enter him in a formerly all-white school. The decision on yesterday's application as well as two other Negro applications is promised tomorrow. Houston School Board voted to follow a first-grade integration order from a federal court.

# U. S. Court nixes Dollarway's plan

Pine Bluff News
Pg 1 Col 1

ST. LOUIS, Aug. 30—(AP)—The Eighth U. S. Circuit Court of Appeals ruled today that the Dollarway, Ark., School District's application of its plan of desegregation does not meet requirements of the law.

**The court said the district is "obligated to do more than deal with generalities."**

The appellate court vacated a federal district court ruling in Little Rock approving the district's plan as "a start toward elimination of racial discrimination."

"OUR DIFFICULTY with this is," the appeals court said, "that what the school board has said it intends to do does not seem to us to contain any demonstrable objectives, of either effort or aim, so as realistically to be appraisable as a 'reasonable start.'"

The three-judge tribunal affirmed a district court dismissal of a complaint by three Negro students who were denied admission to the all-white Dollarway School.

However, the court said:

**"Standards of placement cannot be devised or given application to preserve an existing system of imposed segregation nor can educational principles and theories serve to justify such a result."**

This was a reference to the Arkansas pupil placement laws which previously had been constitutional on their face.

# White Man Moved On Complaint

Journal + Guide Norfolk, Va. 12-10-60 p. 19

## Department Of The Interior Issues Directive

WASHINGTON — (UPI) — The Interior Department has directed the Bureau of Indian Affairs to promote Cleveland M. Miller, a Negro, to be principal of a new Indian boarding school at Chinle, Ariz

Miller had been principal of a Navajo school in Chinle since 1954 and was considered by his superiors highly qualified to head the new school.

**WHEN THE** new school was opened, Miller was bypassed for the principal's job which was awarded by the Bureau's area director at Gallup, N. M., to Lawrence Capps, a white man.

The National Association for the Advancement of Colored People protested to the Department, claiming racial discrimination.

**AFTER AN** investigation, D. Otis Beasley, administrative assistant secretary of the Department, said he appointment of Capps was unfair to all concerned." He ruled that Miller get the job.

# Negro Principal Ordered Installed In Indian School

The Washington Post Washington, D.C. 12-2-60 p. 1 & 10

United Press International

The Interior Department yesterday directed the Bureau of Indian Affairs to promote Cleveland M. Miller, a Negro, to be principal of a new Indian boarding school at Chinle, Ariz.

Miller had been principal of a Navajo school in Chinle since 1954 and was considered by his superiors highly qualified to head the new school.

When the new school was opened Miller was bypassed for the principal's job, which was awarded by the Bureau's area director at Gallup, N.M., to Lawrence Capps, a white man.

The National Association for the Advancement of Colored People protested to the Department, claiming racial discrimination.

After an investigation, the D. Otis Beasley, administrative assistant secretary of the Department, said the appointment of Capps was "unfair to all concerned." He ruled that Miller get the job.

# Court Agrees To Rule On NAACP Aimed Law

Atlanta Daily World

Atlanta, Ga. 7-2-60

WASHINGTON (UPI)—The Supreme Court agreed Monday to rule on an Arkansas anti-integration law requiring public school teachers to list all organizations they have joined in the past five years.

The law was passed by the Arkansas Legislature in 1958 at the height of the controversy between the federal government and Gov. Orval E. Faubus over integration in Little Rock public schools. Like other laws passed at the time, it was designed to thwart desegregation.

The high court accepted the case in a brief order. It will hold oral arguments, probably next term, and will hand down a formal written decision sometime later.

**NAACP WAS TARGET**

Target of the Arkansas law was the National Association for the Advancement of Colored People, NAACP, which played a leading role in the fight against continued school segregation.

Under its provisions, any teacher failing to file the required affidavit is barred from employment.

The law was challenged last April in a suit by B. T. Shelton, a Negro teacher in Little Rock for 15 years; the Arkansas Teachers Association, which represents 2,900 of the state's 3,200 Negro teachers, and the association's executive secretary, C. T. Coggs.

Named as defendants were the school authorities in Little Rock and Pine Bluffs and the president and board of trustees of the Arkansas A. M. and N. College for Negroes.

A three - judge federal court which heard the case in Little Rock upheld the law last June. But it struck down another 1959 law forbidding Arkansas school boards to hire NAACP members.

**MEMBERSHIP NO GROUNDS**

The court held that mere membership in the NAACP cannot be grounds for dismissing a teacher.

In challenging the 1958 law, Shelton told the Supreme Court it "is a sweeping interference with the exercise of freedom of association and privacy."

Arkansas teachers are hired on a year-to-year basis. If they are fired illegally, they cannot demand their jobs back. But if there has been a violation of a contract they can sue for damages.

In other decisions, the high court:

—Refused, 6-3, to rule on the constitutionality of a Missouri state law authorizing the state to seize public utilities in the event of a strike. The majority said the issues in the case, involving the Laclede Gas Co., of St. Louis, long since have been settled.

—Ordered the federal court in New Orleans, La., to determine whether Negroes were unconstitutionally barred from the jury that convicted two Negroes of raping a white woman in 1950. The two men, Clifton Alton Foret and Edgar Labat, were sentenced to death.

# 5th grade offers Afro-American bigger challenge

Baltimore, Md.

(Picture on Page 2)

SAN FRANCISCO — Torn between two loves, teaching and music, F. Allen Smith has found his first love to be education after quitting the classroom for a year on the jazz scene as a trumpet player.

"To me the challenge of education is the bigger challenge," said the 34-year-old fifth grade teacher at Burnett Elementary School.

"To work like this in a fine, democratic place like San Francisco gives me more compensation," he added.

THE NATIVE of Midland, Pa., and graduate of San Francisco State College hit the "big- time" in NYC within a year after leaving his teaching job to devote full-time to jazz, but after a year on the scene he found himself asking:

"Is is worth it?"

While making an impression in the world of jazz, Smith toured with Benny Goodman, worked in the Roxy (Theatre) pit band, night clubs and on movie sound tracks and recording dates.

He is especially noted for his trumpet work with the Goodman band recording of "Happy Sessions of Blues," a favorite of Goodman fans.

"I was lucky," said Smith, "to be able to see all sides of the business."

HE NOTED that the world of the jazz musician is a fine life for those who like it, and rewarding too.

"Some people like it. My friend Jermone Richardson loves New York. He works day and night with two or four - hour recording dates besides his regular job and makes $500 or $600 a week.

"But he comes in at 5 a.m. and gets up at 8.

"It's been a conflict for years," said Smith of his love for devoting full - time to working as a jazz musician.

* * *

HE SERVED as Navy bandsman in Hawaii during World War II and decided to get some musical education before hitting the big city. He enrolled in San Francisco State, finishing in three years.

After college, he went into teaching and the struggle of two loves began.

# LOS ANGELES BIAS IN SCHOOLS CITED

## Civil Rights Group Opens Study in Discrimination Against Negro Teachers

By BILL BECKER

Special to The New York Times.

LOS ANGELES, Jan. 25—Alleged discrimination against Negro teachers in Los Angeles was studied today by the United States Commission on Civil Rights.

The commission reported that a preliminary inquiry showed that there were Negro teachers in only about one-fifth of the public schools.

Dr. Ellis A. Jarvis superintendent of Los Angeles schools, testified that "most schools have non-white teachers." He was unable to give the number of non-white teachers because, he said, the district does not keep records of the race or creed of its 24,000 teachers.

This testimony was challenged by a commission member, the Rev. Theodore M. Hesburgh, president of the University of Notre Dame. Father Hesburgh quoted a staff study for the commission revealed the one-fifth school ratio.

### Finds It Low

"That sounds low to me," Dr. Jarvis commented.

The superintendent also submitted a report citing advances in the hiring procedure for teachers. He stressed that questions of race and national origin, and the requirement of a photograph from applicants had been removed.

But other witnesses testified that pressures were at work keeping qualified Negro teachers from posts.

Dr. Paul F. Lawrence, superintendent of the suburban Willow Brooks school district, a predominantly non-white sector, said he was able to hire only thirty-one teachers in the last four years from 197 he considered qualified.

### Cites Pressure

Most of the others told him they could not get jobs in the Los Angeles area outside of Willow Brook, Dr. Lawrence, a Negro, said.

He said most superintendents were under pressure from school boards. For that reason, he added, he was pessimistic about any speedy advances in hiring more Negro teachers.

Both he and Dr. Burton Henry of Los Angeles State College contended that there was an over-supply of California-certificated teachers going unhired by Southern California schools.

Mexican - American teachers apparently do not have the same difficulty in getting jobs, but there are far fewer Mexican - Americans reaching the teacher-training level, they said.

# Public Buses For Parochial Pupils OKd

HARTFORD, Conn. (AP)—The Connecticut Supreme Court of Errors Tuesday ruled constitutional a state law permitting towns to transport parochial school pupils with public funds.

The law, said the court, "comes up to, but does not breach the 'wall of separation' between church and state."

The statute permits towns, after a referendum, to provide transportation in public school buses for pupils in nonprofit private schools.

But the specific case involved pupils at St. Rose's Roman Catholic School in Newtown. They have been transported at town expense since a month later after the school opened in 1958. Before that, parents' car pools were used.

Four of the five judges held that the law "aids the parents in sending their children to a school of their choice, as is their right. It protects the children from the dangers of modern traffic and reduces the hazard of contracting illness in bad weather."

And, "in the light of our history and policy, it cannot be said to compel support of the church," the court said.

Two of the judges are Catholics, two are Protestants and one is a Jew. Judge Samuel Mellitz disagreed with the ruling, written by Chief Justice Raymond E. Baldwin. Mellitz said the transportation constituted support of a religious school and this was unconstitutional.

# COURT'S RULING BACKS BUS LAW

## Parochial Pupil Transportation Upheld

HARTFORD, Conn. (AP)—The Connecticut Supreme Court of Errors Tuesday ruled constitutional a state law permitting towns who transport parochial school pupils with public funds.

The law, said the court, "comes up to but does not breach the 'wall of separation' between church and state."

The statute permits towns, after a referendum, to provide transportation in public school buses for pupils in nonprofit private schools.

But the specific case involved pupils at St. Rose's Roman Catholic School in Newtown. They have been transported at town expense since a month later after the school opened in 1958. Before that, parents' car pools were used.

Four of the five judges held that the law "aids the parents in sending their children to a school of their choice, as is their right. It protects the children from the dangers of modern traffic and reduces the hazard of contracting illness in bad weather."

And, "in the light of our history and policy, it cannot be said to compel support of the church," the court said.

Two of the judges are Catholics, two are Protestants and one is a Jew. Judge Samuel Mellitz disagreed with the ruling, written by Chief Justice Raymond E. Baldwin. Mellitz said the transportation constituted support of a religious school and this was unconstitutional.

The plaintiffs—a group called the Citizens for the Connecticut Constitution — said the decision would be appealed to the U. S. Supreme Court.

A spokesman, Francis H. Snyder, said the law "subjects all of us to being taxed for an unconstitutional purpose." He said it was passed because of "extreme political pressure brought to bear by the Roman Catholic hierarchy."

The Catholic archdiocese declined immediate comment on the court decision and on Snyder's statement.

The school bus law has caused controversy since its inception. It passed the General Assembly in 1957 only after a tie vote in the House—a tie broken only by the speaker.

Brookfield voted at a referendum in August 1958 to provide transportation for pupils there.

Then neighboring Newtown voted, 1,242 to 1,217, to do the same, using town school buses. A group of residents protested.

The state attorney general at the time ruled that any such transportation would have to be done out of town funds — and towns could not get state grants for it.

In its ruling Tuesday, the court ruled that money from the Connecticut School Fund could not be used.

This is a special state fund using money obtained from the sale of land many years ago. It is only a small part of the state money for education.

The ruling would seem to have little effect except to change state bookkeeping practices. Newtown has paid for the buses from its general fund which receives little, if any, money from the school fund.

14d(1) 1960 D.C.

# School Board Sees Issues As Integration and Money

Integration and money are the two big problems seen by the four new members of the Fairfax County School Board.

All four board members, appointed yesterday by the Board of County Supervisors, were cautious in their estimates of what the future would bring.

But all four pledged to work for "the best schools the county can possibly have."

Those named yesterday were Mrs. Scot Butler of McLean, Col. Waldron E. Leonard of Mount Vernon, Berge Thomasian of Falls Church District and F. Merritt Ruhlen of Mason District.

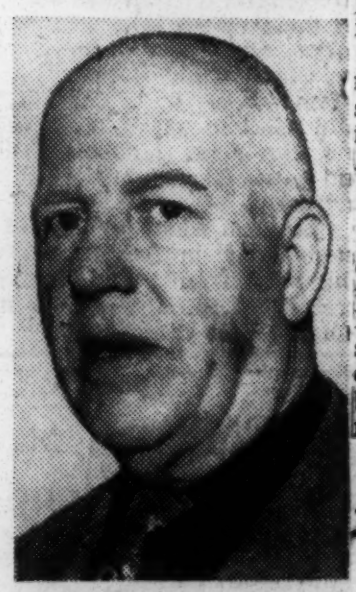
Reappointed were Morton Parsons of Providence District, Hillis Lory of Lee District and Theodore Heriot of Centreville District.

Mrs. Butler, who has been serving as vice president of the Churchill Road Elementary School PTA, said she could probably be classified as a 'liberal spender.'

MRS. SCOT BUTLER

F. MERRITT RUHLEN

BERGE THOMASIAN



WALDRON E. LEONARD

### Integration Views

Mrs. Butler also gave her opinion on integration, which the county faces this fall with the applications of 26 Negro youngsters for admission to eight white county schools.

"We've all got to co-operate to find the solution that will hurt the least number of people," Mrs. Butler said.

Col. Leonard, director of the District's Department of Veterans, said:

"I want to see the people get their dollars worth of service."

He added that he wanted to "try to build up a service as economical to the taxpayers as we can, without jeopardizing the children's education."

He said on integration that he wanted to be "helpful to all our people." He said he would stand on his record of service with the Veterans Department.

Mr. Thomasian, who is vice president of Servonics, Inc., of Alexandria, said the county's integration problem was "minimal, not critical."

### Trained for Business

But on finances, he said: "Running the school system is a business"—something with which he is familiar. He holds a bachelor's degree and a masters degree from Boston University in business and in industrial management.

"You can never have everything you want," Mr. Thomasian commented, noting that he would probably "run down the middle" on spending.

Mr. Ruhlen, a hearing examiner for the Civil Aeronautics Board, said the school system faced two problems—"construction and integration."

"All the schools have got to obey the law of the land. My feeling is that I would like to see the law obeyed in the method that will have the least impact on the community," Mr Ruhlen said.

The school system, he said, has to provide educational facilities for gifted children, average children and those with handicaps.

# End Urged For Racial Pupil Count

A member of the District Board of Education has asked school officials to consider scrapping their annual racial count of pupils and teachers.

In a letter to School Superintendent Carl F. Hansen, Board member Wesley S. Williams said "representative groups in the community have been growing restive because of the continued racial census."

Williams asked whether the District schools, desegregated since 1954, are not 'a't the point, if not long past it," where a racial census serves no useful purpose.

He also asked how much personnel time and effort goes into the racial count.

The annual "peak enrollment" census of District schools, conducted in October, includes a breakdown by race. An annual count is also made of Negro and white teachers.

A 1925 statute, still on the books, requires the racial tally of pupils. Several years ago the School Board asked the District Commissioners to seek repeal of the legal requirement for a racial count, but the Commissioners took no action.

# Race Count To Continue In Schools

By Erwin Knoll
Staff Reporter

School Superintendent Carl F. Hansen does not believe the time has come for District schools to abandon their annual racial census of pupils and teachers.

Early this year a Negro member of the School Board, Wesley S. Williams, asked Hansen whether Washington schools, desegregated since 1954, were not "at the point, if not long past it," where a racial count served no useful purpose.

In a letter released yesterday by Williams, Hansen said he hoped "the time will come in the history of our school system when the racial characteristics of pupils and personnel will not be so much at issue as the nature and characteristics of their educational needs as people."

But Hansen gave these four reasons for continuing the racial count at this time:

• "The change from segregation is much too recent for the school system to escape the national spotlight on this issue. To seek to eliminate reports of pupils and personnel by race will be interpreted by many as a device for secreting significant facts about the schools.

• "Without official recording, estimates and guesswork will be substituted. The flood of rumors and counter-rumors, mostly negative in nature, and the persistent probing for facts on this issue will, I believe, be harmful to the stability of the school organization.

• "In the transitional stages of this historic educational development, racial counts furnish the basis for establishing scientifically the fact that Negro pupils, properly taught and in improving economic and social situations, can respond and will achieve eventually at the same level and pattern as the white pupils.

• "As has been said by a nationally-known expert in human relations when we put the question to him in a recent conference, the failure to report racial distribution of pupils and personnel can be and is now far too often used as a shield for discriminatory practices."

The annual "peak enrollment" census of District schools, conducted in October, includes a breakdown by race. An annual count is also made of Negro and white teachers.

Hansen said he is "not prepared to recommend a change" in a 1925 statute which requires a racial tally of District pupils. But he noted that elimination of the requirement was proposed by the school administration in 1954 and endorsed by the School Board's legislation committee. There was no further action.

In a reply to Hansen, Williams indicated that he would ask the Board to take up the matter once again.

# New School Will Accept All Children

The new Amidon School opening in Southwest Washington next fall will make its program of "direct, systematic instruction to children from all part sof the city on a first-come, first-served basis, School Superintendent Carl F. Hansen announced yesterday.

Applications for enrollment in Amidon are now available at the Franklin School Administration Building, 13th and K sts. nw., and at neighborhood elementary schools. Principal Dorothy L. Johnson will interview all parents who file applications.

Though school officials hope for a "balanced" student body for their experiment in fundamental education, no effort will be made to screen applications on a racial basis, Mr. Hansen said.

The main admission requirement will be willingness of parents to furnish transportation for their children to and from the school at 4th and I sts. nw.

The nucleus of Amidon's enrollment will be some 185 youngsters who now attend the S. J. Bowen School at 3d and K sts. nw., which is scheduled for razing.

Completion of redevelopment projects in the Southwest area which Amidon will serve is some years off. Thus, several hundred places will be open to youngsters from all parts of Washington whose parents approve of the rigorous instruction program planned by Hansen.

Besides stressing direct instruction in the fundamentals rather than the kind of "experince unit" teaching now widely used, Amidon will attempt to bring more advanced subjects into the lower grades —even the kindergarten, Hansen said at a press conference.

He said curriculum guides are now being prepared, and teachers will work closely with the staff of the Primary Day School in adapting the school's famous "phonovisual method" of reading instruction.

Hansen's plans to make Amidon an experimental center, and perhaps a model for future development in the District school system, won the unanimous endorsement of the School Board and have attracted wide attention.

There has been some criticism, too. At a Montgomery County School Board meeting this week, a school administrator called it "a sop to the reactionary forces" in education.

# INTEGRATION AIDS CAPITAL'S SCHOOLS

## Standards Found to Improve Steadily in Five Years

Special to The New York Times.

WASHINGTON, April 3—Five years of desegregation are reported to have brought a marked rise in the educational level of District of Columbia public schools.

Dr. Carl F. Hansen, superintendent of schools, told in a report today of steady improvement in academic standards, teacher efficiency and school services, accompanied by a decline in delinquency.

The capital's schools were among the first to accept complete integration under the 1954 ruling of the Supreme Court.

"The nation's capital ought to symbolize a national dedication to the principle of superior public education for every child," Dr. Hansen said. "There are many miles to go before we reach this goal."

The rise in academic standards, coinciding with a rise in the number of Negroes enrolled, is testimony to "the capacity of the Negro pupil to respond to educational opportunity," he declared.

His report was distributed by the Anti-Defamation League of B'nai B'rith. It supplemented a 1957 report by Dr. Hansen, "Miracle of Social Adjustment," which dealt with the changeover from a segregated to an integrated system.

Dr. Hansen attributed the Negro enrollment increase to social, economic and political factors, rather than desegration.

His report indicated that the capital's schools lagged behind the average for the nation in educational level, but had improved since 1955-56.

He cited tests in the third grade on paragraph and word meanings, spelling and arithmetic reasoning and computation. Against the average 3.5 rating for the country, he said, Washington schools had a median of 3.1. In 1955-56, he noted they were rated at only 2.3 to 2.6 against a national norm of 3.2.

### Attributed to Merit System

Comparable improvements have been seen in all the higher grades, he added.

He attributed part of the improvement to a policy in effect since 1954 whereby teachers were assigned and promoted on the basis of merit.

During the same period, he said, delinquency has declined in terms of the number of cases per thousand pupils. He reported a slight increase in the actual number last year, but said no final figures were available yet.

More than 7,000 children were reported to have needed free lunches during 1958-59. Dr. Hansen said Congress had authorized $266,000 for free lunches this year in elementary schools here.

"Children who come to school without adequate nourishment are not in a state of readiness to learn," he observed. "They may not only be unresponsive to their opportunities, but aggressive, rebellious and negative in their reactions."

While desegregation has not solved "the problem of the hungry," he said, progress being made indicates that a better job will be done than previously.

# District pupils show gains and their ability to learn

By EDWARD PEEKS

WASHINGTON

Results of tests given last October to eighth - graders in District junior high schools show "evident improvement over 1955," according to Supt. Carl F. Hansen in noting academic gains since schools were desegregated.

Improvement is measured in relation to the national norm of 8.2 or eight years and two months for grade standing at the time District children were tested.

More than 5,000 pupils were given tests in several subjects. Dr. Hansen issued results Friday that showed the honors group (about 9 per cent) above the national norm, the regular group or two - thirds averaging five to six months below the norm and the remainder in as low as two years behind in paragraph and word meaning.

* * *

**MANY CHILDREN** in the regular grouping of the track program achieved above the norm in reading, arithmetic and language.

**"There is evidence that many of our children achieved at the highest level, far above the national norm," Dr. Hansen said.**

Overall results show 'an approach at least to the national average, which if achieved would be very unusual in the kind of urban center we are considering," he stated. "We don't have a typical distribution of pupils."

* * *

**A CHART ON** the I.Q. of ninth - graders bear on the point of pupil distribution in relation to the national group of ninth-graders.

**The percentage for Washington children varies, however, only from 3 per cent to 8 per cent in number by comparison with the national group in classifications ranging from inferior to very superior.**

For example, 5 per cent of the national group classifies as very superior as compared with 2 per cent of 5,175 ninth-graders tested locally.

The local group showed 21 per cent in the inferior classification with I.Q's ranging from 70 to 84 on the California Short-Form Test of Mental Maturity.

In the national group, 13 per cent are so classified, or 8 per cent fewer than local children on the same grade level.

However, for "the very inferior," the nation shows 5 per cent as compared with 3 per cent in the District.

* * *

**PERHAPS THE** significance of these I.Q. tests or measurements of the potential ability of a child to learn lies in the fact that some 40 per cent of all District children are considered as "culturally different" or "culturally deprived," meaning that they belong to low income families.

**It's noted that ninth-graders among them don't show much difference from the national norm in tests of their potential to learn.**

About 76 per cent of the District school population is colored, far above that of any other school system in the nation.

* * *

**DR. HANSEN** said change in school population shows the same trend in other cities with movement to the suburbs of more favorable groups and the increase in the number of children whose backgrounds are more limited."

**Test results indicated some refinement of the track or grouping program, but showed that "we need to increase the procedure by which we place children in different ability groups," he said.**

He further stated that results show "continued need to find a program that will be wholly productive for children in the below - average classification in Basic 2 and the general

# Negroes Swelling D.C. School Rolls

## 1960 Percentage Expected To Be Even Higher

From The Commercial Appeal Washington Bureau

WASHINGTON, Oct. 31. — A new census of public school enrollment in the nation's capital is expected to show another increase in the percentage of Negro pupils.

School authorities said the new census was completed Oct. 22 and is now being processed and prepared for release. Federal law requires a school census here, by race, each year.

The 1959 census showed 90,173 Negro pupils and 27,711 white pupils in the public schools here, a percentage of 76.5 and 23.5, respectively.

In the fall of 1953, the last year before the schools were racially integrated, there were 58,936 Negro pupils and 44,897 white pupils.

School authorities indicated the 1960 census will be released later this week.

14d(1) 1960 D.C.

# Washington An All-Negro City?

Washington School Supt. Carl Hansen, a persistent contender that mixed schools in the national capital are working out very well, now announces that the Negro public school enrollment has gone up again this Fall. It has marched upward steadily since the District immediately began integrating schools in 1954.

The percentage now stands at 79.9 per cent. This means that for every one white child in Washington schools, there are four Negro children.

The pattern of the capital for a long time has been plain. Residentially it is the same way, of course. The undeniable fact is that whites have in great numbers fled to the suburbs. Some of this is doubtless part of the inevitable (seemingly) trend to get away from heart metropolitan areas. But the growing numbers of Negroes moving into Washington for many years certainly must have something to do with the situation.

With Washington, D. C., schools filled 80 per cent, approximately, with Negro pupils, the question becomes even more evident, whether the U. S. capital city sooner or later is to be virtually without whites—a Negro island surrounded by white suburbs in Maryland and Virginia.

# Suit filed against D.C. tuition charge

WASHINGTON

A suit asking the court to declare a 14 - year -old girl exempt from having to pay $177.50 non-resident tuition fees was filed by her brother last Tuesday. The money was demanded by District school authorities earlier this month.

The girl, Sarah C. Gordon, came to the District last fall from Petersburg, Va., to live with her brother, Ronald C. Gordon, 201 Oglethorpe St., NW. He filed the suit after telling school authorities in an affidavit that he was assuming care of his sister until she reaches 21.

He said their mother is dead, and their father, Robert L., a clergyman, has a serious heart condition, and cannot provide for Sarah.

In the suit, it is mentioned that Sarah enrolled at Paul Junior High School September, 1959, and attended classes until Dec. 15.

On Dec. 2, Ronald said he received a bill from the office of the Superintendent of Schools demanding that he pay the money for the first half of the 1959-60 school year.

Gordon refused to pay, on the grounds that his sister was a resident of the District. She was immediately dropped from class at Paul Junior High, and hasn't attended any other.

Gordon requests an injunction to restrain the school authorities from refusing to readmit Sarah to Paul Junior High, or for not allowing her to enroll at any other public school in the District.

Attorney Frank D. Reeves is representing them in the case.

* * *

**THE SUIT** is the first test of the residency of a particular student.

School policies on the residency requirements have been attacked in recent years by Rep. Joel T. Broyhill (R-Va.), who has a bill pending in Congress which would tighten residency requirements.

The congressman and others have charged that parents in the South send their children to live with relatives here, but do not pay non-resident tuition.

# School Aide Reports Southern Pupil Influx

By Erwin Knoll
Staff Reporter

The director of attendance for Washington public schools has told Superintendent Carl F. Hansen that increasing numbers of children are coming here from southern states to live with friends or relatives and go to school here.

In a memorandum sent to Hansen last week, Alace C. Sheldon called for "stricter control of reserving free District education for bona fide District residents."

She suggested that children whose parents live elsewhere should be required to have legal guardians in the District or pay nonresident tuitions ranging from $222 a year for elementary pupils to $913 for pupils in crippled children's classes.

Mrs. Sheldon's proposal was in line with a bill sponsored by Rep. Joel T. Broyhill (R-Va.) which was passed by the House last week. There has been no action in the Senate.

Under present law, pupils are exempted from tuition payment if they are not here primarily to attend school and if they live with adults who support them and exercise control over them

**Criticized by Member**

Mrs. Sheldon's memorandum came to light at a meeting of School Board committees yesterday, when Board member Wesley S. Williams charged that "there are many things in it that don't make sense to me."

Williams said children of "serfs" and sharecroppers are living with relatives here, and asked:

"Should they stay down on the plantation and starve?"

Williams and Board member Ruth B. Spencer complained that school officials have been sending tuition bills to pupils who have enjoyed free schooling here for years.

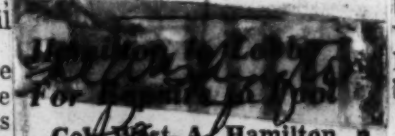
Superintendent Hansen told the Board that efforts are being made to improve "disorganized and disjointed management" of the tuition requirements.

In other actions, the Board's committees on personnel and rules approved Hansen's plan for continuous evaluation of teachers' work; withholding of pay increments from teachers who receive "conditional" ratings, and dismissal of those rated "unsatisfactory."

Hansen told the committees that he hopes to provide supervisors with training in evaluation techniques, and to develop guidelines to use in judging teacher performance.

Mrs. Senpcer, chairman of the rules committee, called Hansen's plan "extremely harsh," but voted to bring it before the full Board next Wednesday.

The buildings and grounds committee voted to close the Greenleaf School, 4th and M sts. sw., on Feb. 26 and transfer its 73 pupils to the S. J. Bowen School, 3d and K sts. sw. Greenleaf is in the Southwest Redevelopment Area, and adjacent properties are being razed.



**Col. West A. Hamilton, a member of the District School Board, announced yesterday that he will lobby personally on Capitol Hill for funds to make long-deferred repairs to the Dunbar High School swimming pool, 1st and N sts. nw.**

**"There isn't an item in the budget that requires higher priority," Hamilton said. "When we ask Congress for millions, $55,000 is mere peanuts. We should rise in righteous indignation about this pool, as we do about so many other things."**

**The Dunbar pool has been disabled for about five years. The School Board has repeatedly asked for repair funds, but the requests have been denied by District budget officials or congressional appropriations committees.**

# Long, Proxmire Clash on D. C. Desegregation

## Using Same Data, One Brands It A Failure, Other Says It Works

By Ewin Knoll
Staff Reporter

Sens. Russell B. Long (D-La.) and William Proxmire (D-Wis.) used the same data yesterday to arrive at opposite conclusions about the success of public school desegregation in Washington.

Both cited the District's increase in Negro school enrollments in speeches on the Senate floor.

But Long said Washington was the ideal place to try school desegregation, that the "great experiment" has failed, and that desegregation therefore cannot be expected to work anywhere.

Proxmire said the Capital was a difficult place to attempt desegregation, that it works nonetheless, and that it can therefore be expected to work anywhere.

Long, a leader in the Southern Senators' fight against civil rights legislation, noted that in the fall of 1953—a year before desegregation—the District school enrollment was 43.3 per cent white and 56.7 per cent Negro. This year, he said, the percentages are 23.3 per cent white and 76.7 per cent Negro.

Desegregation, Long charged, "has resulted in a rapid disappearance of white people from the District and a mass movement by white people remaining in the city to locate themselves in areas where their neighbors are all white.

"This whole picture is just another example that people would rather remain with their own kind than max," Long added.

"It is obvious, by looking at the present picture presented by the Washington public schools, that even Northern white people do not want to integrate the schools in more than a token manner and will move out when the actual integration occurs . . .

"In spite of the law which says that schools must be integrated, if people don't want to send their children to integrated schools, they find legal means to avoid it."

**Adverse Conditions Cited**

Proxmire said no big city in the United States faced "conditions more adverse to integration than those in the District."

School desegregation encounters increasing opposition as the proportion of Negro students rises, Proxmire said, and he cited the same figures used by Long.

But despite the rise in Negro population—which Proxmire did not attribute to school desegregation—he found the District's school experience a remarkable success.

Proxmire cited a report by

School Superintendent Carl F. Hansen, issued Sunday, which noted steady gains in the achievement levels of District students, increased efficiency of the school system and a minimum of racial problems in the schools.

"This miracle of social adjustment," Proxmire declared, "seems to me an unanswerable argument to those who have been fighting educational integration tooth and nail.

"If it works here under the most difficult possible circumstances, it will work anywhere in America."

# Desegregation Has Aided Schools, Hansen Says

By Erwin Knoll
Staff Reporter

Five years of public school desegregation in the Nation's Capital have given students rising achievement levels, better teacher efficiency and more educational services, School Superintendent Carl F. Hansen reported yesterday.

The District's prompt compliance with the Supreme Court's 1954 desegregation decision "prepared the ground for a total attack upon the improvement of instruction," Hansen said.

His findings were published by the Anti-Defamation League of B'nai B'rith as a 32-page pamphlet called "Addendum: A Five-Year Report." It supplements another pamphlet, "Miracle of Social Adjustment," written by Hansen for the League in 1957.

In the new study, Hansen reviews the progress of the schools "under the momentum of a new concept, as a system operating in the American tradition to meet the educational needs of all the children."

City-wide pupil testing after desegregation revealed to an "appalled community" that many Negro youngsters lagged far behind white children in school achievement, Hansen says.

"Although school desegregation does not eliminate the deep-seated causes of social, economic and cultural development," he notes, "it does provide the opportunity for an equal sharing of educational resources, for a greater amount of acculturation resulting from the joining together of teachers and pupils in the school setting and for a united effort to improve educational services to all children."

City-wide averages on standardized tests, which showed lags of several months to several years behind national achievement standards five years ago, have climbed steadily since desegregation to approach—and in some instances match or surpass — national norms, Hansen reports. He adds:

"Integration has not retarded the advancement of high-ability students, Negro or white, and educational standards in the District public schools, when examined in relation to students' preparation and ability for learning, are high."

**Three Major Changes**

Hansen cites three major educational changes introduced in recent years, although he says they "should not be directly related to desegregation":

• The "track system" of ability grouping, introduced several years ago at the senior high school level and this year in junior high and elementary schools, which "supplies maximum challenge for the gifted as well as the slow."

"With a sharper target, the teacher can make better plans and is less likely to neglect the brighter or the slow within each group," Hansen says.

• The increase in required subjects, reducing "the cafeteria-like selection of courses, the window-shopping and bargain-hunting for easy grades characteristic of the system it replaced."

• The new stress on systematic, organized instruction in the basic subjects, which, Hansen asserts, is bringing a return to "the point of view that the teacher is the director of instruction in the classroom, the dynamic source of interaction between pupil and materials or content of instruction, the cultivated adult who can instruct pupils in what he knows and who can induce them to reach out for knowledge and to enjoy the satisfactions of accomplishment."

**Proportions Shift**

Hansen notes that the academic gains of recent years have been accomplished in the face of a steady increase in the proportion of Negro pupils which began long before desegregation and has continued since. This year, some three quarters of the District's school enrollment is Negro.

He says it is "a defect in analysis" to blame desegregation for population shifts because "an examination of the problems of every major city in this country will show that like massive amoebas they are ingesting, without plan or reason, masses of economically deprived people of every race.

"In most of these cities, schools have been integrated from the beginning. In some, schools are still segregated. The least that can be done for the children of the economic and social ghettoes is to provide the best possible education."

**Standards Not Lowered**

Hansen says desegragation has brought no lowering of teachers' standards, though recruiting teachers has been complicated in part by the "extensive adverse treatment" given the schools by segregationists.

Special school services such as classes for handicapped children have expanded substantially since 1954, Hansen says, because of "community unification for school improvement."

Racial incidents in the schools are "relatively infrequent," he reports, and behavior problems are usually "those of children, not of Negroes or whites." School social activities are continuing and the fear that "proximity in school will induce intermarriage seem not to have been realized."

Some problems still confront the schools—among them the high drop-out rate of students when they reach the age of 16. Hasen says these conditions "are not caused by desegregation. It is equaly clear that desegregation does not correct them."

After five years of desegregation, he concludes, "the main object of study, debate and effort is how to make the schools better."

# New School Is Dedicated To Dr. Drew

The largest elementary school every built in the District was dedicated last night amid recollections of the man for whom it is named, Dr. Charles R. Drew.

Dr. Drew, a distinguished physician with a national reputation, was killed in an automobile accident in 1950. He was 45 years old.

His widow, Lenora, and two of his four children were on hand for the dedication of the Drew School at Fifty-sixth and Eads streets N.E. His mother was also there.

During the ceremonies Ramone S. Eaton, a vice president of the American National Red Cross, presented a bronze plaque to the school expressing his organization's appreciation for the outstanding work Dr. Drew did with blood plasma.

Dr. Robert S. Jason, dean of Howard University's medical school, recalled Dr. Drew's years of service there as a professor of surgery and as chief surgeon at Freedman's Hospital.

Bebe Drew, the doctor's eldest child, who was only 8 when the fatal accident occurred in North Carolina, presented the school principal, Mrs. Julia B. Craft, a portrait of her father.

Other participants in the dedication included District Commissioner Robert E. McLaughlin, School Supt. Carl F. Hansen, West A. Hamilton, a School Board member, and the school glee club. The presiding officer was Miss Edith A. Lyons, assistant superintendent for elementary schools.

Drew has been in use since last September. Built at a cost of $1 million, it has 75 classrooms with capacity of 1,208. Currently there are 1,100 youngsters attending the school.

Young Elementary School at Twenty-Fourth street and Benning road N.E., is actually a larger building than Drew. It was built, however, in three separate stages.

# Delaware Ruling May Cause Court Definition Of "Speed"

By SAM FOGG

WASHINGTON (UPI)—The meaning of four everyday words—"with all deliberate speed"—created new conflict in the desegregation controversy this week that might prompt the Supreme Court to hand down its most far-reaching decision since the historic school 1954 ruling.

Oddly, the legal depth bomb went off in the middle Atlantic seaboard state of Delaware rather than in one of the deep Southern states.

And the ruling itself was handed down in Philadelphia where a three-man panel of the Third Circuit Court of Appeals ordered Delaware, partly industrial, partly rural and partly integrated, to speed up its program.

The two-to-one decision spiked the state's 12-year grade-by-grade plan and demanded full integration of Delaware schools at all levels by the fall of 1961.

Delaware Atty. Gen. Januar Bove Jr., announced the state board of education probably would carry its fight against the speed-up order to the Supreme Court if necessary.

**LOWER COUR[illegible]ETS PACE**

Such a development would confront the high tribunal with the almost-certain necessity of spelling out what it [illegible] six years ago when the cou[illegible] declared that schools should [illegible] integrated "with all deliberate speed."

The Supreme [illegible] made it plain that the lower f[illegible] court judges should determine the pace but in this week's ruling, the district court and the appeals judges took completely opposing viewpoints.

The Delaware plan which won approval of the U. S. District Court admitted 20 Negro children to first grade classes throughout the state's public school system. It contemplated working up by way of a stair step timetable until all 12 grades would be integrated by 1972.

The district court noted that the grade-by-grade program was necessary because more rapid integration would overcrowd schoolrooms, overtax teachers, and have "a most undesirable emotional impact" on some communities. A 1954 effort to integrate the Milford, Del., school provoked a white student boycott which involved de[illegible]

crosses.

**MAY GO TO SUPREME COURT**

But two judges of the Appeals Court, chief Judge John Biggs Jr. and Harry E. Kalodner, upheld an appeal on behalf of parents of five children and said "desegregation of the public school system on a grade - by - grade basis over a period of 12 years' .. does not follow the intent and substance of the rulings of the Supreme Court."

In dissent, Judge Herbert F. Goodrich said that the Delaware plan "is as good as we can expect in view of the obstacles to be overcome in making it work."

On behalf of the state, Attorney General Bove announced that after studying the ruling, he probably would carry the case to the full seven - judge Appellate Court and then to the Supreme Court if need be.

## DESEGREGATION

### Court Orders Faster Plan for Delaware Schools

Special to The New York Times.

DOVER, Del., July 23—Delaware's grade-a-year program for desegregation of its public school system was struck down this week by a three-judge unit of the United States Third Circuit Court of Appeals in Philadelphia.

The plan, worked out by the State Board of Education as "the most satisfactory for all interests," had the approval of Federal District Court Judge J. Caleb Layton. It was put into effect last fall in first grades and would have achieved full integration of elementary and high schools in twelve years.

As of last January, the state had 77,151 public school pupils, of whom 63,088 were white and 14,063 were Negroes. Most of the school districts, especially in cities such as Wilmington and Dover, abandoned classroom segregation years ago. But an estimated 7,000 Negroes still are in segregated schools, mainly in the lower half of Delaware, an area with a distinct Southern tradition.

In practice, Delaware's gradual desegregation formula added only twenty-one Negro children to integrated classrooms this year. In a two-to-one ruling, the appellate court found this pace to be much too slow and ordered full integration to begin in the state by the fall of 1961.

**Appeal Planned**

Yesterday the State Board of Education directed Januar Bove, Jr., attorney general of Delaware, to appeal to the Supreme Court for approval of its plan if it loses or is denied a reargument before the full seven-member Third Circuit Court.

Mr. Bove pointed out that the Third Circuit Court opinion "appears to conflict" with one in which the Sixth Circuit Court of Appeals in Nashville, Tenn. approved a grade-a-year integration plan for Nashville schools. He noted that the Supreme Court had refused to hear an appeal from the Nashville decision and contended that this amounted to approval

DELAWARE CASE

# School Integration Speedup Ordered

PHILADELPHIA, July 19 (AP)—A federal court told the state of Delaware today its grade-a-year public school integration was too slow and ordered total integration by the fall of 1961.

The 3rd U.S. Circuit Court of Appeals said the state's present race integration process does not meet the "deliberate speed" requirements of a Supreme Court order.

The grade-a-year plan approved by a federal district judge began last year and would have resulted in total school integration by 1972.

The ruling by the appellate court was on an appeal by an attorney for 20 Negro youths. The circuit court ruled that all 20 should be admitted to public schools this fall. It directed that the grade-a-year plan remain in effect until the full integration plan starts.

**Number Reduced**

The court asserted in its 2-1 decision written by Chief Judge John Biggs Jr. that although some 7,000 Negroes were eligible for integrated classes only about 500 would be expected to apply for admission to previously all-white schools.

This was in answer to the plea by Delaware state and local school district authorities that total, immediate integration would overcrowd school rooms and overtax teachers.

Biggs said he based this opinion on the number who entered first grade last fall, only 25 of some 1,000 eligible to do so.

"It has been the experience in school desegregation that a large number of Negro children do not seek integration even when offered the oppportunity. This is common knowledge . . ." he wrote.

**Note on Violence**

Judge Biggs also took note of another contention by opponents of speedy integration—possible disruptive influences and violence. Violence occurred in the southern Delaware community of Milford five years ago when integration moves first began.

Said Biggs: "Concededly there is still some way to go to com-

plete an unqualified acceptance but we cannot conclude that the citizens of Delaware will create incidents of the sort which occurred in the Milford area five years ago . . ."

Delaware authorities claimed the incidents were sparked by outsiders.

Some 46 per cent of Delaware's 77,000 public school pupils attend totally integrated institutions, the bulk of those in the large city of Wilmington.

Louis L. Redding of Wilmington, counsel for the Negro pupils, had contended that since all of them were above the first grade level when the gradual integration plan went into effect, none ever would be able to attend an integrated school.

# Integrate Grades,

Miami Herald

# Delaware Ordered

Miami, Fla.

PHILADELPHIA — (AP) — The Third Circuit Court of Appeals Tuesday rejected a 12-year school integration plan in Delaware and ordered "full integration of all grades . . . commencing with the fall term of 1961."

Wed. 7/20/60

Chief Judge John Biggs Jr. of Wilmington, Del., wrote the decision with Judge Harry E. Kalodner, Philadelphia, concurring and Judge Herbert F. Goodrich, Philadelphia, dissenting.

6-5-A

**Biggs wrote that the Delaware desegregation plan, which began in 1959 with the approval of the U.S. District Court of Delaware, "is not in accord" with a prior "mandate of this court."**

"Desegregation of the Delaware public school system on a grade-by-grade basis over a period of 12 years, beginning as it did in the fall of 1959, does not follow the intent and substance of the rulings of the (U.S.) Supreme Court," Biggs wrote.

Biggs ordered the District Court to enter an order "requiring the state board of education of Delaware and the state superintendent of public instruction to submit to the court below on or before Dec. 1, 1960, for its approval a modified plan which will provide for full integration of all grades of the public schools of Delaware commencing with the fall term 1961."

# Delaware Appeals Speedy-Mix Order

Jackson Daily News

Jackson, Miss.

Wed. 7/20/60

PHILADELPHIA (UPI) — The state of Delaware pointed to the Nashville, Tenn., school integration case today and said it would appeal a 3rd Circuit Court of Appeals ruling which scrapped its own 12-year plan for gradual desegregation and ordered full integration next year.

Delaware Atty. Gen. Januar Bove Jr. said he had not yet read a copy of the opinion but "if the reports are accurate" the State Board of Education probably will carry its fight to the U.S. Supreme Court, if necessary.

Bove indicated Delaware would go to the highest court if its petition for a rehearing before the full, seven-judge appellate court here proves fruitless. It was granted that right under the 2-1 ruling Tuesday ordering "full integration of all grades" with the fall term of 1961.

Bove said newspaper accounts indicated the circuit court decision "differs from the opinion of the U.S. 6th Circuit Court in the Nashville, Tenn., case which approved a grade-a-year plan."

He said failure of the U.S. Supreme Court to entertain an appeal of the 6th Circuit's ruling was tantamount to approving the stair-step plan.

Delaware admitted Negro pupils to first grade classes throughout the state's public school system last fall. The plan, calling for full integration by 1972, was drawn up by Delaware under general orders of the federal appeals court. It was then approved by the U.S. district court.

However, the parents of five school children in five separate districts objected. Louis L. Redding, attorney for the children, went to the appellate court contending the plan did not effect desegregation "with all deliberate speed."

The appellate court found that the stair - step program over a period of 12 years "postpones full integration" and "does not follow the intent and substance" of the Supreme Court rulings.

# Delay In Integration Denied In Delaware

The News & Courier

Charleston, S.C.

8-30-60

By The Associated Press

At Philadelphia, the 3rd U.S. Circuit Court of Appeals reaffirmed its decision directing faster integration of the Delaware public schools by denying a petition for a rehearing.

The court ruled last month the state's grade-a-year plan was too slow and ordered modified integration from the first grade through high school by September, 1961.

Atty. Gen. Januar D. Bove Jr. of Delaware had sought to reopen the case, contending the decision required immediate integration of about 6,813 Negro children. The court denied this position and said only properly qualified Negro children would be affected.

At Memphis, Tenn., William McClair Freeman, a 19-year-old white youth from Swansea, Mass., and his Negro companion, Nathaniel Exum, 20, of Memphis, were fined $51 each on disorderly conduct charges growing out of an attempt to worship at the Bellevue Baptist Church Sunday.

Elsewhere in Tennessee, classes open at the new Clinton high high school, built to replace the building destroyed by dynamite blasts in October, 1958. Principal W. D. Human said about 900 pupils, including 10 Negroes, attended. The school has been integrated since 1956.

8-30-60

However, at New Orleans, U.S. District Judge J. Skelly Wright agreed to consider a request for a delay of his order to integrate the first grade of the public schools next month.

The Orleans Parish School Board asked him for a delay of six weeks to one year and a modification of the ruling under which all first grades would be subject to integration. The judge said he would announce his decision after conferring with an attorney for the NAACP.

In Norfolk, Va., a federal judge ruled attorneys representing Negro children seeking admission to white schools may inspect qualifying test records at five schools. Attorney Victor J. Ashe had contended the scoring of the tests "was inaccurate and erroneous, and they were administered discriminately."

The Mississippi State Sovereignty Commission charged at Jackson that a Negro ministerial college under construction at Union was a scheme involving exchange of cheap farm labor for college credits.

The announcement came after the Rev. J. T. Stewart, white secretary of Bay Ridge Christian College, reported officials had given up the idea of launching the school this fall. The Rev. J. Horace Germany, white president of the school, reported last week he was beaten by white men near the site of the school.

Albert Jones, director of the commission, said the school president told investigators Negro students would work on the Germany farm five hours a day during school and 10 to 12 hours a day during the summer. Their pay of 50 cents an hour would apply to tuition of $430 a year, he said.

# Delaware Must Desegregate All Grades By Fall Of 1961 As "Gradual" Plan Is Voided

Atlanta Daily World, Atlanta, Ga.
Wed. 7/20/60, p. 1

## State Ordered To Prepare Complete Integration Plan

PHILADELPHIA (UPI) — Delaware's 12-year plan for gradual school integration was ordered scrapped Tuesday by the Third Circuit Court of Appeals which directed that "full integration of all grades" must begin with the fall term of 1961.

Desegregation began in Delaware in 1959 in the first grade, with the plan calling for full integration by 1972 on a grade-by-grade, ascending basis.

The 1959 plan was drawn up by the state Board of Education and George R. Miller, Jr., state superintendent of public instruction, under general orders of the Federal Appeals Court. It was then approved by the U. S. District Court in Delaware.

Under the plan, 20 Negro pupils were admited to first grade classes throughout the state's public school system. They would enter the second grade next fall. The parents of five school children in five separate districts objected to the plan and appealed to the Appellate Court here.

Louis L. Redding, attorney for the children, contended that the plan does not affect desegregation "with all deliberate speed" and was not a "reasonable start toward full compliance" with the U. S. Supreme Court ruling of May 17, 1954.

Biggs ordered Delaware officials to prepare a new plan for complete integration beginning in the fall of 1961. This plan must be submitted to the District Court in Delaware for approval consistent with Tuesday's decision no later than December 1, 1960.

Judge Harry E. Kalodner, Philadelphia, concurred with Biggs while Judge Herbert F. Goodrich, also Philadelphia, dissented on the grounds that the plan presently in effect "is as good as we can expect in view of the obstacles to be overcome in making it work."

## Delaware Court Sets Precedent For Md.

Afro American
Baltimore, Md.
7/30/60

(AN EDITORIAL)

The grade by grade public school desegregation program of Harford and other backward Maryland counties has always seemed a program to defy or evade the law.

The Third U.S. Circuit Court of Appeals, sitting in Wilmington, Delaware Tuesday, supports our view.

(1) It threw the grade-a-year integration program out the window. Such a program in Delaware would not have been completed integration until 1972.

(2) It ordered the public schools to admit at the next session the 20 children named as plaintiffs.

(3) It directed all state public schools to be desegregated in 1961.

* * *

**ATTORNEY LOUIS L. REDDING,** dedicated and persistent advocate of freedom, contended that under the grade-a-year program some of the children he represented would never be able to enjoy citizenship rights in public schools.

The appellate Federal Court's decision is a close-to home precedent and it should give Maryland parents new determination to go back into federal courts and sue for integrated schools NOW.

Of course the Delaware decision will be appealed, but at last here is a case that clearly tests the unlawful stair step desegregation program.

* * *

**IN MARYLAND,** desegregation has moved ahead in Baltimore City, Baltimore, Montgomery, Washington and Frederick Counties.

Most other Maryland counties have stairstep integration schemes.

Nine counties — Calvert, Caroline, Dorchester, Somerset, Queen Annes, Kent, Wicomico, Worcester and St. Marys, have not integrated schools.

Excuses or reasons for failures of school integration may be cited, but none is valid.

* * *

**IT IS** plain that community progressive leadership in these counties is lacking, and these counties do not have skillful and dedicated lawyers like Louis L. Redding among their resident citizens.

It takes both to come up with precedent making decisions like the victory won by Louis Redding and his Wilmington supporters.

# Grade-a-Year Desegregation

Struck down by a U. S. Court of Appeals decision, the grade-a-year plan for school desegregation set up by Delaware heads for a review by the Supreme Court which may produce new clarification of the historic 1954 edict ruling the separation of races in public schools unconstitutional.

The high court's order stated that it must be carried out "with all deliberate speed." It left it to the Federal District Courts to see that compliance occurs "at the earliest possible date."

But it has not defined precisely what it means by "all deliberate speed." And it has overruled a number of District Court decisions relating to compliance procedure.

Where the intent of a State or school district move on integration has been to evade compliance as long as possible, by obtaining court stays or by other means, the Supreme Court has shown no hesitancy in ruling such actions a violation of its order.

But there has remained an element of uncertainty concerning regulations not clearly evasive in nature and purportedly designed to promote integration on a gradual basis. The grade-a-year formula established in Delaware last year with the approval of U. S. District Court Judge J. Caleb Layton does not seem to differ substantially from a plan adopted in Tennessee. Yet a U. S. Court of Appeals in Cincinnati approved the latter plan, while the court sitting in Philadelphia has turned down the formula in Delaware.

Local conditions may supply a variance justifying the seeming contradiction. Twenty Negro students in Delaware schools, for instance, appealed against the grade-a-year plan because it denied them any possibility of attending integrated classes. All of them were above the first grade when the plan went into effect. The two judges giving the majority decision in the case have ordered their admission to white schools next fall.

In some cases it may be that an orderly, step-by-step process of gradual desegregation is the best way to assure compliance with the Supreme Court ruling. But six years have gone by since the order was handed down, and many States and school districts have yet to make the first move toward desegregation.

Setting a deadline date for universal compliance could prove as awkward as it might be unreasonable. But, in deciding whether or not grade-a-year integration is legal, the Supreme Court will be getting closer to what it means by "all deliberate speed."

# Court Tells Delaware To Integrate Schools

The U. S. Court of Appeals for the 3d Circuit struck down Delaware's grade-a-year school integration plan Tuesday and ordered full desegregation of the State public schools to begin in the fall of 1961.

By a 2-1 vote, the three-judge appellate tribunal also ordered that 20 Negro pupils who had attacked Delaware's desegregation plan—which wouldn't have been completed until 1972—be admitted to public schools this fall.

The court thus upheld an appeal by Louis L. Redding, of Wilmington, attorney for the children, who had contended that the Delaware plan did not comply with a 1954 Supreme Court ruling. Delaware's grade-a-year plan went into effect last September, with the approval of U. S. District Judge Paul Leahy.

*Background Article On Page 14*

### STATE GIVEN 15 DAYS

Chief Judge John Biggs, Jr., himself a resident of Delaware, wrote the majority opinion, which was joined by Judge Harry E. Kalodner. Judge Herbert F. Goodrich dissented. The State of Delaware was given 15 days to appeal to the full seven-judge court. The State also has 90 days to appeal to the U. S. Supreme Court.

### EXPECTS TO APPEAL

Januar Bove, Attorney General of Delaware, said Tuesday night he had not received the opinion but that if reports of it "are accurate, then the opinion differs from an opinion of the U. S. 6th Circuit Court of Appeals in the Nashville case, where such a grade-a-year plan was approved.

"Further, the U. S. Supreme Court, by failing to entertain an appeal of the U. S. 6th Circuit Court's ruling in the Nashville case, in effect approved it.

"Since the State Board of Education, whom I now represent, directed the past two previous Attorneys General to carry this matter to the United States Supreme Court, I do not anticipate that the board will give me different instructions. . . ."

Last year, 20 Negro pupils were admitted to first-grade classes in Delaware public schools. This fall, under the plan struck down Tuesday, these pupils would have reached the second grade.

Redding contended that none of the pupils he represented—originally, there were 42—ever would be integrated because all were above the first-grade level when the plan went into effect.

The court issued the following orders:

**1. That the District Court require the Delaware Board of Education to submit to it by Dec. 1, for its approval, a plan which would provide for the full integration by the fall term of 1961.**

**2. That the District Court direct the individual boards of education throughout Delaware to admit the 20 Negro plaintiffs this fall.**

**3. That the District Court enter an order requiring the continuation of the grade-by-grade desegregation until the plan providing for full integration is put into effect.**

In his dissenting opinion, Judge Goodrich pointed out that the high court had ordered desegregation "with all deliberate speed." He noted that Delaware authorities apparently had used more deliberation than speed, but added:

"It would be better, perhaps, if the program submitted to the District Judge and approved by him had provided for speedier integration. But a plan was submitted and a plan was approved, and has been put into effect. While it will take a comparatively long time before it is completed, it nevertheless, provides for steady progress.

### 'SOCIAL INERTIA'

"It seems to me that in view of the local (Delaware) social inertia against any plan at all, that the one submitted and approved is as good as we can expect in view of the obstacles to be overcome in making it work."

Judge Biggs said that according to the figures submitted by the State of Delaware, approximately 1000 Negro children are eligible for desegregation in the first grade, but only 25 have applied for admission.

"Even if this number trebled, the number of Negro children involved if desegregation took place through Grades 1 to 12 would barely exceed 500," the judge said.

### PUPILS TOTAL 76,000

There are some 76,000 public school pupils in Delaware and nearly 36,000 attend integrated schools, most of them in and around Wilmington and the northern section of the State. According to court records, there are some 7000 Negro pupils eligible for integration in all 12 grades.

Five years ago violence erputed in the southern Delaware community of Milford when integration was attempted in a public school.

### USED TO CONCEPT

"We believe the citizens of Delaware have become more accustomed to the concept of desegregated schools," Judge Biggs said. "Concededly, there is still some way to go to complete an unqualified acceptance. But we cannot conclude that the citizens of Delaware will create incidents of the sort which occurred in the Milford area some five years ago."

Bove had argued that total and immediate integration would create problems of overcrowding and financing. In reply, Judge Biggs said:

"Doubtless, integration will cost the citizens of Delaware money which otherwise might not have to be spent. The education of the young always requires, indeed, demands, sacrifice by the older and more mature and resolute members of the community. Education is a prime necessity of our modern world and of the State of Delaware."

### DISRUPTION FEARED

James M. Tunnell, a Wilmington attorney who represented school boards in Milford, Seaford, Laurel and Greenwood, had argued that admitting persons without regard to their geography and their academic positions "might be effectually disruptive of an orderly transition."

Tunnell had said that to integrate fully would harm many youngsters. He said that the year-by-year plan had imagination.

As for the other arguments offered by the opponents of quick integration, Judge Biggs' opinion said:

"It has been the experience of school desegregation that a large number of Negro children do not seek integration even when offered the opportunity. This is common knowledge. We cannot conclude that the situation in Delaware would be noticeably different. . . .

"Doubtless there would be some overcrowding in particular schools . . . and many temporary or permanent arrangements . . . would have to be made, but it is unrealistic to suggest that all Negro pupils now in segregated schools would immediately seek admission to desegregated schools."

# Delaware Hit on Integration

The U. S. Court of Appeals for the Third Circuit here took under advisement Friday an appeal that the State of Delaware is dragging its feet on school integration.

Sitting en banc, Chief Judge John Biggs, Jr., and Judges Herbert F. Goodrich and Harry E. Kalodner heard an attorney for 26 Negro children assail Delaware's 12-year integration program.

**'DEPRIVED OF RIGHTS'**

The attorney, Louis L. Redding, charged the program was too slow and "completely deprives these children of any right of admittance to desegregated education."

Delaware's plan was approved by the U. S. District Court in Delaware last summer. Under the system, Negro children of first-grade level were integrated in the fall of 1959.

The next year the second grade will be integrated and each year for 12 years until all the grades are operated on a desegregated basis.

**LEGALITY RAPPED**

"There is no factual or legal basis," Redding argued, "for a plan which protracts integration over so long a time."

Replying on behalf of the State Board of Education, Januar D. Bove said that the school board had the primary responsibility to draw up suitable plans and for making a reasonable start with reasonable speed.

"Delaware," he said, "is doing so. The plaintiff's rights are conditioned by the primary responsibility of school authorities to evolve a plan suitable to the courts."

Bove said any speedier plan would result in overcrowding of the schools, but Judge Kalodner reminded him the U. S. Supreme Court held overcrowding could not be used as an excuse.

Bove replied that the high court merely said overcrowding could not be used as an excuse not to start integration, that Delaware had started integration and, having started, all other things must be taken into consideration along the way.

"If this court orders these plaintiffs to be admitted," Bove declared, "then we must admit all those in their class who apply. It will create many problems in relation to space requirements."

Kalodner remarked that the Delaware plan deprived an entire generation of desegregated education.

# Court Voids Delaware's Grade a Year

PHILADELPHIA (AP) — The U.S. Circuit Court of Appeals told the State of Delaware Tuesday its grade-a-year public school integration was too slow and ordered total integration by the fall of 1961.

The appellate court for the Third Circuit said the state's present race integration process does not meet the "deliberate speed" requirements of a Supreme Court order.

The grade-a-year plan approved by a U.S. District Court judge began last year and would have resulted in total school integration by 1972.

The ruling by the appellate court was on an appeal by an attorney for 20 Negro youths. The court ruled that all 20 should be admitted to public schools this fall. It directed that the grade-a-year plan remain in effect until the full integration plan starts.

The court asserted in its 2-1 decision written by Chief Judge John Biggs Jr. that although some 7,000 Negroes were eligible for integrated classes only about 500 would be expected to apply for admission to previously all-white schools.

This was in answer to the plea by Delaware state and local school district authorities that total, immediate integration would overcrowd school rooms and overtax teachers.

**BASED ON LAST FALL**

Biggs said he based this opinion on the number who entered first grade last fall, only 25 of some 1,000 eligible to do so.

"It has been the experience in school desegregation that a large number of Negro children do not seek integration even when offered the opportunity. This is common knowledge" he wrote.

Judge Biggs also took note of another contention by opponents of speedy integration—possible disruptive influences and violence. Violence occurred in the southern Delaware community of Milford five years ago when integration moves first began.

**SOME WAY TO GO**

"Concededly there is still some way to go to complete an unqualified acceptance but we cannot conclude that the citizens of Delaware will create incidents of the sort which occurred in the Milford area five years ago," Biggs said.

Delaware authorities claimed the incidents were sparked by outsiders.

Some 46 per cent of Delaware's 77,000 public school pupils attend totally integrated institutions, the bulk of those in the large northern tier city of Wilmington.

Louis L. Redding of Wilmington, counsel for the Negro pupils, had contended that since all of them were above the first-grade level when the gradual integration plan went into effect, none ever would be able to attend an integrated school.

**COUNSEL SKIPS REPLY**

He declined immediate comment on Tuesday's ruling which was in the form of orders to U.S. District Court Judge Caleb R. Layton III at Wilmington, who approved the grade-a-year plan. Layton was directed to order the State Board of Education to submit to him by Dec. 1 a plan for total integration.

# Desegregate Schools by Next Year, Court of Appeals Orders Delaware

PHILADELPHIA, July 19 (AP)—A Federal court told the State of Delaware today its grade-a-year public school desegregation was too slow and ordered total desegregation by the fall of 1961.

The Court of Appeals for the Third U. S. Circuit said the State is not meeting the "deliberate speed" requirements of a Supreme Court order.

The grade-a-year plan approved by a Federal district judge began last year and would have resulted in total school desegregation by 1972.

Today's ruling was on an appeal by an attorney for 20 Negro youths. The Circuit Court ruled that all 20 should be admitted to public schools this fall. It directed that the grade-a-year plan remain in effect until the full desegregation plan starts.

The court asserted in its 2 to 1 decision written by Chief Judge John Biggs Jr. that although some 7000 Negroes were eligible for desegregated classes, only about 5000 would be expected to apply for admission to previously all-white schools.

This was in answer to the plea by Delaware state and local school district authorities that total, immediate desegregation would overcrowd school rooms and overtax teachers.

Biggs said he based this opinion on the number of Negroes who entered first grade last fall, only 25 of some 1000 eligible to do so.

"It has been the experience in school desegregation that a large number of Negro children do not seek integration even when offered the opportunity. This is common knowledge . . ." he wrote.

## *New Orleans Ordered To Speed Integration*

Associated Press

Supreme Court justice Hugo Black yesterday refused to stay a Federal court order to desegregate New Orleans public schools in the first grades next fall.

The delay, pending appeal, was requested by the Orleans Parish (county) school board. Federal Judge J. Skelly Wright issued the order May 15 after the school board failed to submit a desegregation plan.

# Order to Delaware Schools May Affect Tennessee Cases

NASHVILLE, Tenn. (UPI)—The decision by an appeals court in Philadelphia ordering "full integration" of all grades in Delaware schools may have immediate repercussions in Tennessee.

Z. Alexander Looby, attorney leading the fight for total desegregation in Tennessee schools, said the decision may be used as a level in the Knoxville school integration case now pending.

"We may use this decision to persuade the court to order full integration of Knxville schools Sept. 8," Looby told United Press International.

"And there is a possiblity the decision may be cited when the motion for summary judgment on the Chattanooga schools case is heard," he added.

The Knoxville schools system was ordered to integrate on a grade a year plan by the federal court several weeks ago. So far, no plans have been laid down by the Chattanooga authorities.

Looby said he did not foresee a new appeal on the Nashville school system. Nashville, which began grade a year integration with first grade in 1957, moves into the fourth grade in September.

Looby said the Nashville stairstep plan has been approved by the lo-

cal district court and the U. S. Circuit Court of Appeals in Cincinnati and the U. S. Supreme Court refused to overturn the decision.

# Delaware Ruling May Cause Court Definition Of "Speed"

By SAM FOGG

WASHINGTON (UPI)—The meaning of four everyday words—"with all deliberate speed"—created new conflict in the desegregation controversy this week that might prompt the Supreme Court to hand down its most far-reaching decision since the historic school 1954 ruling.

Oddly, the legal depth bomb went off in the middle Atlantic seaboard state of Delaware rather than in one of the deep Southern states.

And the ruling itself was handed down in Philadelphia where a three-man panel of the Third Circuit Court of Appeals ordered Delaware, partly industrial, partly rural and partly integrated, to speed up its program.

The two-to-one decision spiked the state's 12-year grade-by-grade plan and demanded full integration of Delaware schools at all levels by the fall of 1961.

Delaware Atty. Gen. Januar Bove Jr., announced the state board of education probably would carry its fight against the speed-up order to the Supreme Court if necessary.

**LOWER COURT SETS PACE**

Such a development would confront the high tribunal with the almost-certain necessity of spelling out what it meant six years ago when the court declared that schools should be integrated "with all deliberate speed."

The Supreme Court made is plain that the lower federal court judges should determine the pace but in this week's ruling, the district court and the appeals judges took completely opposing viewpoints.

The Delaware plan which won approval of the U. S. District Court admitted 20 Negro children to first grade classes throughout the state's public school system. It contemplated working up by way of a stair step timetable until all 12 grades would be integrated by 1972.

The district court noted that the grade-by-grade program was necessary because more rapid integration would overcrowd schoolrooms, overtax teachers, and have "a most undesirable emotional impact" on some communities. A 1954 effort to integrate the Milford, Del., school provoked a white student boycott which involved demonstrations, barnfires, and fiery crosses.

**MAY GO TO SUPREME COURT**

But two judges of the Appeals Court, chief Judge John Biggs Jr. and Harry E. Kalodner, upheld an appeal on behalf of parents of five children and said "desegregation of the public school system on a grade - by - grade basis over a period of 12 years ..... does not follow the intent and substance of the rulings of the Supreme Court."

In dissent, Judge Herbert F. Goodrich said that the Delaware plan "is as good as we can expect in view of the obstacles to be overcome in making it work." On behalf of the state, Attorney General Bove announced that after studying the ruling, he probably would carry the case to the full seven - judge Appellate Court and then to the Supreme Court if need be.

# Delaware Mixing Order Puzzles

This week the Third Circuit U. S. Court of Appeals in a three-judge (two-to-one) decision held that a statewide Delaware plan for a 12-year, grade-a-year desegregation of schools did not meet the 1954 Supreme Court command. It was too slow, argued Negro attorneys, and this contention majority judges clearly endorsed.

This is an identical equivalent of the grade-a-year plan which was put into effect in Nashville three years ago. Negro attorneys in Nashville protested on the same grounds other Negroes did in the Delaware case—arguing that the method was too slow, that many school-age Negroes—most—never would be integrated because they were past the lower grades and would move on up at the same pace that integration grade-by-grade moved up.

The Nashville lawyers took their case to federal district court and were turned down. They then went to the Sixth Circuit Court of Appeals in Cincinnati. Again they were turned down. They petitioned the Supreme Court for review but last December the highest tribunal refused *certiorari* and the Nashville plan was, in seemingly final effect, left as acceptable in the eyes of the top bench which had issued the '54 order.

Should the Delaware ruling be appealed by school authorities, what then would be the Supreme Court's decision? Would it undertake review, or refuse as it did in the Nashville case?

By refusing to review, the Nashville grade-a-year plan was okayed. If the high court refuses, similarly, to review the Delaware case, then the grade-a-year Delaware plan in very real effect will have been knocked out and the high court would in effect be adding to the circuit court's order its command to integrate generally and immediately.

In such case, we would have law so tortured that the Supreme Court would be allowing one interpretation for one city, but refusing that interpretation in another case involving a whole state.

If the Supreme Court accepted a petition for review of the Delaware plan and later reversed the Third Circuit Court of Appeals, it would restore to authorities in Delaware power to go ahead with grade-a-year. If the high bench did that, it would seem a final approval of the graduated integration plan and would be a severe blow to Negro leaders who have planned more vigorous attack on any step-by-step integration method.

# Federal Court Directs Delaware To Integrate All Schools by '61

By WILLIAM G. WEART

Special to The

PHILADELPHIA, July 19 — The Third United States Circuit Court of Appeals ordered today that full integration of Delaware's public schools begin in the fall of 1961.

In so doing, the court struck down the grade-a-year school-desegregation plan that the state put into effect last September with the approval of Federal District Court Judge J. Caleb Layton.

The 2-to-1 decision also directed the State Board of Education to admit to integrated classes this fall twenty pupils who had attacked the gradual desegregation plan.

The majority opinion upheld an appeal by Louis L. Redding, Wilmington lawyer. He contended that segregation of the races was illegal and that the plan for total integration by 1970 did not comply with the United States Supreme Court ruling.

The majority opinion, written by Chief Judge John Biggs Jr. and concurred in by Judge Harry E. Kalodner, held that Judge Layton's decision did not conform to rulings of either the Circuit or Supreme Courts.

# Delaware ordered to integrate next year

PHILADELPHIA

A federal court told the State of Delaware Tuesday that its grade-a-year public school desegregation program was too slow and ordered total desegregation by the fall of 1961.

The Court of Appeals for the Third U.S. Circuit, in a momentous decision to step up desegregation said Delaware is not meeting the "deliberate speed" requirements of a Supreme Court order.

The grade - a - year plan approved by a Federal district court judge began last year and would have resulted in total school desegregation by 1972.

Tuesday's ruling was on an appeal by an attorney for 2[illegible] colored youths. The Circuit court ruled that all 20 should be admitted to public school this fall. It directed that the grade a year plan remain in effect until the full desegregation plan starts.

Delaware state and local school district authorities had contended that total, immediate desegregation would overcrowd school rooms and overtax teachers.

* * *

**HOWEVER,** Chief Judge John Biggs Jr. who wrote the two-to-one decision said this was not the case.

"It has been the experience in school desegregation that a large number of colored children do not seek integration even when offered the opportunity. This is common knowledge ..." Judge Biggs wrote.

Biggs said that although some 7,000 colored children were eligible for desegregated classes, only about 500 would be expected to apply for admission to previously all-white schools. He said he based this opinion on the number of colored pupils who entered first grade last fall, only 25 of some 1,000 eligible to do so.

# Senate Argues Federal Aid To Schools Move

WASHINGTON (UPI) — The Senate debated today a proposed four-year program of federal aid for school construction and teachers' salaries that would allot $20 for each school child.

The Senate returned two and a half hours earlier than usual after staying until 11:06 Wednesday night to work on rival aid-to-education proposals.

The lawmakers were scheduled to hold a memorial service for the late Sen. William Langer (R-N.D.) and then begin debate on a $60-million dollar construction-salaries proposal by Sen. A. S. Mike Monroney (D-Okla.).

Monroney offered the measure as a substitute for a Democratic plan that would grant states 500-million dollars a year for the next two years, only for construction.

Late Wednesday night, the Senate rejected by a 44-44 tie vote a measure by Sen. Joseph S. Clark (D-Pa.) to provide $1,100,000,000 or more yearly for an indefinite period for school building and teachers' wages.

Clark's move was turned down after Senate Republican Leader Everett M. Dirksen (Ill.) told the chamber that President Eisenhower had advised him he wanted "no part" of a school aid bill that provided funds for salaries.

Senate Democratic Leader Lyndon B. Johnson (Tex.) said he hoped for a final vote on an education aid bill Friday. It appeared likely senators would meet close to midnight again tonight.

# Federal Aid

Following a series of articles in a Houston daily newspaper which highlighted the incongruities and inconsistencies involved in the Houston School Board's standing policy of rejecting federal aid of any sort in the operation of the Houston schools, many citizens expressed themselves on the matter in "letters to the editor". One "confused" (or was he?) citizen wanted to know how Houstonians could reconcile this school board policy, apparently approved by the voters, with the acceptance of federal aid to highways, to the ship-channel, and to various other programs and activities in Houston. His argument was that if federal aid was bad, immoral, rejectable in the case of the local schools, it should be the same where other local projects were concerned.

This is certainly sound argument, and where would Houston be if the federal government had not had a large hand in the financing of the ship-channel, for one example? Who among Houston's "anti-federal-aid" politicians would reject this particular aid? Who among Houston's business leaders would reject it? Who, even among the city's "states-righters" wants to bar federal money from flood-control work in the city, or federal help in so local a function as the enforcement of law?

The truth of the matter is that the federal-aid specter is, and has been a ruse, a political straw-man, used by a clique of politicians in Houston and the State of Texas to gain, and keep, control of public education. This control has meant not only control of curriculum content in the Houston schools for the clique, through which they have projected their peculiar biases and social attitudes, but also control of the millions of dollars of tax money, through which they have rewarded their friends and supporters.

In this grisly game of power and politics, and which includes segregation politics as a hand-maiden to "anti-federal-aid" politics, the taxpayers have been the dupes, the school-children the innocent victims.

# Integration, School Aid Killed, 2-1

The New York Times Service

WASHINGTON — The Senate killed Monday the administration's proposal for federal grants to school districts undertaking desegregation programs. The vote was 61 to 30.

The proposal died with no more than a mock fight in its behalf on the Senate floor. The administration, which had long since given it up for lost, made no attempt to save it, although the Department of Health, Education and Welfare sent a letter.

**The Republican leader, Everett M. Dirksen of Illinois, joined the Democratic leader, Lyndon B. Johnson of Texas, against it, and the big majority of Republicans followed suit. Twenty-four Republicans voted to kill it, 10 to support it. Thirty-seven Democrats opposed it, 20 supported it.**

Its defeat led off a series of Senate votes that made it clear the majority is now satisfied with the bill as it stands; that is, strictly a voting-rights measure plus two new general criminal statutes against bombing and obstruction of court orders.

Johnson and Dirksen, now determined to hold it in this form, applied the steamroller Monday with an unusual use of the Senate rules to cut short talk on amendments and get votes to kill them.

The school-aid provision, the only section of the bill dealing with the school integration problem, was disposed of in slightly over 30 minutes.

**Within the next hour, the Senate killed two other intricate proposals in one blow. One was a proposal by Sen. Jacob K. Javits (R., N.Y.) to permit the attorney general to intervene in school desegregation suits initiated by private citizens.**

While this was still pending, Sen. Pat McNamara (D., Mich.) moved to substitute the so called "Part Three" provision, under which the attorney general could initiate suits on behalf of individuals in a variety of desegregation cases.

Sen. Mike Mansfield of Montana, deputy Democratic leader, moved to table, or kill, both provisions at once. His motion carried, 56 to 34.

The leadership's pressure to get on with the voting was aimed at final Senate passage of the bill sometime this week. Dirksen said final action might be possible tonight, but Richard B. Russell of Georgia, leader of the Southern Democrats, said he thought this overly optimistic.

FLORIDA

# Indians Reject Integration Of School On Reservation

The News and Courier
Charleston, S.C.
Mon. 11-21-60
28 R

BIG CYPRESS, Fla. (AP) — Uncle Sam is meekly supporting the Seminole Indians in their refusal to integrate their school in this reservation village.

The government pays the bills for the school and apparently has abandoned hope of getting Seminole children into local public schools, because the Bureau of Indian Affairs plans a new school building in 1961. It is the only Indian school in Florida not integrated.

The Seminoles object to sending their children to school with children of Texas-Mexican migrant farm worker parents, not because of social or racial prejudice but because most of the Texas-Mexican children speak Spanish more than English.

The Indians want their children to attend public schools with English-speaking white children — older boys and girls are being transported by bus to school in Clewiston—but the nearest white elementary school is 50 miles away at Labelle of Clewiston, and that's too far.

Supt. Virgil Harrington of the U.S. Indian Agency at Dania, and the Big Cypress Seminole tribe, represented by Chief Billy Osceola, lost their last battle two years ago to the Hendry County School Board to get the little Indians into white schools.

"The federal government wants to do all it can to help give the Indian children an education, but under the present setup it is felt that they are not getting the full educational benefits they should have," Harrington told board members.

# Legislators to Renew Private School Drive

The Florida Times-Union
Jacksonville, Fla.
Dec 11 1960

TALLAHASSEE, Dec. 10 (AP)—Florida legislators are beginning to dust off some of the private school subsidy bills from the 1959 session preparatory to a new attempt to shove them through the 1961 Legislature.

Prompting the moves are the racial disturbances growing out of integration of the New Orleans public schools and extension of efforts to integrate Florida's public schools.

At the recent legislative gathering at Boca Raton, several House members said they were keeping an eye on the private school plan proposed in Louisiana to see whether it would be adaptable to Florida.

The attorney general's office has written for a copy of the bill to examine its provisions.

**Mitchell Backs Plan**

Rep. Richard Mitchell of Leon County said many legislators felt some plan should be devised which would allow parents who refuse to send their children to integrated schools an opportunity to place them in private schools.

Mitchell said he wanted to have a look at the Louisiana plan and would re-examine the parent-option plan which failed to get through the 1959 session. The Louisiana plan appears to be along the lines of parent-option.

Atty. Gen. Richard Ervin and State School Supt. Thomas Bailey, who advanced the parent-option plan two years ago, are expected to back it again if a serious move is made at the 1961 session to write new legislation to block integration.

This plan would permit parents to withdraw their children from an integrated school and receive as a direct payment their child's pro rata share of the school operating fund—about $300—if the child attended a private school.

**Key to Plan Stymied**

The key feature of the parent-option plan — a constitutional amendment to authorize state aid for private schooling for children withdrawn from integrated schools — was bottled up in the 1959 House by a racial screening committee and didn't get through.

House Speaker-designate Wilson Chappell, of Marion, who sponsored a tax-exemption plan for donations to private schools in 1959, is reported to be working on another private school plan for 1961.

The 1956 pupil assignment law still is Florida's main bulwark against school integration. The 1959 session wrote a law allowing county school boards to separate pupils by sex in integrated schools but it hasn't been put to use yet.

Florida's only integrated schools are in Miami, but Negroes in six Florida counties have petitioned federal courts for an end to school segregation.

**Duval Suit Filed**

Latest suit was filed this week in Duval County. Others were filed earlier in Hillsborough, Palm Beach, Dade, Escambia and Volusia. There has been no decision in any of them yet.

Any integration order resulting from these suits would spur interest in the private school subsidy bills.

Two private school bills were enacted in the 1959 Legislature, but one of them was never activated by Gov. LeRoy Collins. The Private School Corporation Act set up the mechanics for creation of private schools. This law provides that 25 or more citizens of any county may join in establishing a non-profit, private school corporation.

Another bill, sponsored by Secretary of State-elect Tom Adams and which became law without the governor's signature, set minimum standards for private schools. It provided a seven-man board to be appointed by the governor to determine the adequacy of private schools and to license them for operation.

**Public Funds Lacking**

Collins didn't activate the board because no funds were provided in the law. Some legislators reportedly were fearful that providing public funds for the board might make the setup illegal.

One section of the licensing law would require teachers to sign an oath they would uphold principles incorporated in the State Constitution. The Constitution provides for segregated schools.

It is expected that an effort will be made next year to activate the law, and possibly to extend it to colleges in an effort to knock out diploma mills.

# School Mixing Suit Filed Here

The Florida Times-Union
Jacksonville, Fla.
Wed 12-7-60

## NAACP Petitions Federal Court To Integrate Duval System

By JOSEPH P. CRAIN
Times-Union Staff Writer

The National Association for the Advancement of Colored People yesterday started action to integrate Duval County's schools. The action follows the pattern of those already in litigation in a half dozen Florida counties.

Filed in the U.S. District Court here, a suit asks that the school board be permanently enjoined from continuing to operate the local school system on a racially segregated basis, or, in the alternative, be directed to immediately draft, and submit to the court, a plan for the reorganization of the school system into a uniform nonracial system.

The suit was filed by Earl M. Johnson, of 625 W. Union St., a local attorney, joined by Constance Baker Motley and Thurgood Marshall of New York City, attorneys for the NAACP. All are Negroes.

Fourteen Negro children are named as plaintiffs in the suit.

Similar litigation has been brought in Dade County, Hillsborough County, Palm Beach County, Escambia County and Volusia County. None is yet near the final decision stage and only one of the others—the Volusia suit—is pending in the Jacksonville division of the U.S. District Court.

**Defendants Named**

The local suit names as defendants members of the Board of Public Instruction of Duval County, Raymond David, its chairman, and Ish Brant, superintendent of public instruction and chief administrative officer of the school system.

It alleges that the defendants, acting under color of the authority vested in them by laws of the state, are operating the school system on a racially segregated basis. This segregated system, it is alleged, came into existance pursuant to the requirements of state law, but is presently continued as a matter of policy, custom and usage.

The plaintiffs have requested the school board to cease operating the system on this basis and to conform with the decision of the U.S. Supreme Court in the school segregation cases, the complaint states. But, it continues, the defendants have pursued the policy of operating a compulsory biracial school system and have failed and refused to present a plan for integrating the system.

The suit admits the plaintiffs have not exhausted their administrative remedies under the state's 1956 pupil assignment law, for the reason that the remedies provided by the law are not adequate to provide the relief sought and that the school board has not employed the law as a means of abolishing racial segregation in the schools.

It is alleged that all budgets relating to the schools, all new construction plans proposed and carried out and all funds appropriated and expended are separated into allocations for Negro and for white students.

The compulsory biracial system, it is alleged, violates the rights of the Negro children here which are secured to them by the due process and equal protection clauses of the 14th Amendment to the U.S. Constitution, and results in irreparable injury to the plaintiffs.

**Early Hearing Asked**

Asking the court to advance the case on its docket and order a speedy hearing of the action, the suit seeks:

1. A decree enjoining the defendants and their agents from operating a compulsory biracial school system here.

2. A decree restraining the defendants from continuing to maintain a dual scheme or pattern of school zone or attendance area lines.

3. An injunction against the school board assigning pupils to schools on a basis of race or color.

4. A decree forbidding the board to assign teachers or other professional personnel to schools on a basis of race or color.

5. An injunction prohibiting the school board from approving budgets, making funds available, approving employment and construction contracts or approving policies, curricula and programs which are designed to perpetuate or maintain or support compulsory racially segregated schools.

On the alternative, the suit asks the court to enter a decree directing the defendants to present a complete plan, within a time designated by the court, for the reorganization of the entire school system of Duval County into a uniform nonracial system which shall include a plan for the assignment of children on a nonracial basis; the assignment of teachers and other professional personnel on a nonracial basis; the drawing of school attendance lines on a nonracial basis; the allotment of funds, the construction of schools, the approval of budgets on a nonracial basis; and the elimination of any other discrimination in the operation of the school system or in the school curricula which are based solely on race and color.

If the court should direct the defendants to produce such a plan, the suit continues, it asks that the court retain jurisdiction of the case pending court approval and full and complete implementation of the plan.

**No Comment**

Elliott Adams, attorney for the school board, advised of the filing of this county's first school integration suit, said he would have no comment until he has had a chance to see the bill of complaint.

The new segregation action comes on the heels of a U.S. District Court ruling last Thursday that the City of Jacksonville must end racial segregation at all of the recreational facilities it owns and operates or leases to other parties.

A year ago, a group of Negro golfers successfully carried this area's first integration suit into federal court and won a ruling that racial discrimination must end on the municipal golf courses. The city immediately closed down the courses to all play and later sold them.

The city did not appeal the golf course decision to a higher federal court.

A final decree in the suit calling for integration of the city's recreational areas has not yet been drafted by Judge Bryan Simpson, who said when he ruled on the case that he would include in his order a 30-day grace period for the city's compliance.

# NAACP Suit Asks Integration Of Pensacola School System

PENSACOLA, Fla. (AP) — A suit seeking the complete integration of the city-county school system here was filed by the National Assn. for Advancement of Colored People Monday.

The action in U. S. District Court requested that classes be integrated and that the school board be prohibited from assigning teachers, principals and other school employes on a racially segregated basis.

An NAACP attorney, Charles F. Wilson of Pensacola, said the class suit was the first of its type in Florida.

Twelve Negro children were listed as plaintiffs. They included two whose parents have attempted for several months to have them admitted to an all-white school.

Wilson said the NAACP filed the action at the request of the plaintiffs because the latter did not have sufficient funds to maintain the court action. He estimated it would cost several thousand dollars.

Listed as attorneys with Wilson were Thurgood Marshall and Mrs. Constance Baker Motley, both of New York. Marshall is the general counsel and Mrs. Motley, the assistant general counsel for the NAACP.

Wilson said school integration suits in Florida previously sught admittance of specific Negro pupils to specific white schools, instead of a class suit seeking integration of all students and teachers throughout the school system.

The suit requested injunctions against the Escambia County School Board. It proposed as an alternative that the court issue a decree requiring that the board submit a plan to bring about integration within a time specified by the court.

The legal action asked that the suit be moved up on the federal court docket and that the court set a hearing on it within a short time.

School Supt. W. J. Woodham declined comment on the suit.

U. S. Dist. Judge Harrold Carswell of Tallahassee is presiding judge for the northern district of Florida

# Pupil assignment law faces Fla. court attack

PENSACOLA, Fla. — The Florida Pupil Assignment Law came under legal attack here Monday with the filing of a complaint in the federal district court by attorneys for the NAACP Legal Defense and Educational Fund, Inc.

The complaint was filed on behalf of children in Escambia County, Fla. and against the Board of Public Instruction of the county and its school officials.

It seeks a court order prohibiting the school authorities from operating and maintaining a dual system of public education.

The focal point of the attack in the complaint is the Florida Pupil Assignment Law which permits school authorities to assign public school pupils on the basis of "sociological and cultural background and social scientific factors."

The Pupil Assignmen. Law, however, has been applied to the assignment and reassignment of colored pupils.

In the complaint filed Monday, Legal Defense attorneys also charge the Escambia County school officials with maintaining two school zone lines, one for colored and the other for whites. The "colored school system" is staffed entirely by colored, the attorneys argue, and the "white" schools solely by whites.

Attorneys for the colored pupils are Thurgood Marshall and Constance Baker Motley of New York, and Charles F. Wilson of Pensacola, Fla.

# SCHOOL CLOSING CALLED DANGER

## 33 Southern Educators Sound Warning

GAINESVILLE, Fla. (AP) — Thirty-three Southern educators Tuesday night warned that closing of public schools would lead to "collapse of our Democratic society."

The statement — just short of 2500 words — has been in preparation since May of last year. The idea came during a faculty meeting at the University of Florida. It was released in pamphlet form by the educators — five of them college presidents—whose names were listed alphabetically at the end.

Florida led the number of signers with 8 and next in order were North Carolina 6; Tennessee 5; Texas 4; Kentucky and Virginia 3 each; Maryland 2, and Georgia and Alabama 1 each.

The educators said the statement was personal and that it was issued in the belief "that the welfare of the South and the preservation of our Democratic heritage is dependent upon our ability to maintain a free and educated citizenry."

No mention was made specifically of segregation but the Little Rock school closing was pointed out, quoting businessmen and officials as saying it hurt business, that some of the population moved away and that industrial prospects were lost.

The statement said abandonment of the tax supported public school system and repeal of compulsory attendance laws would increase unemployment and juvenile delinquency and seriously harm economy in many areas.

Regarding private schools it said relatively few would be "financially able to pay salaries sufficient to attract competent teachers. These will be schools with high fees which will be available only to children of the wealthy.

"In many cases the sums paid by the state will not meet the cost of private schools. Thus the parents' outlay for education will be materially increased. No one seems to have really studied this aspect of the problem.

"There will be other losses. Many public schools have excellent opportunities for adult education. Shops, art studios, kitchens, music studios provided with trained instructors are open to the adult public in the evenings. Large numbers of taxpayers have thus availed themselves of the opportunity to acquire new vocations, add avocational pursuits, bring their skills to a higher level, acquire new ones.

"The nation is straining every nerve to encourage able boys and girls to continue their schooling so that those who have ability in science and mathematics can share in developing the technology of our country. We must win the race against communism and we cannot afford the loss of one person who has the potential to become a great scientist."

Dean J. B. White of the University of Florida college of education said the suggestion of "a Southern attitude" came in a faculty meeting last spring and "I did the leg work. The statement went to all those who signed it and all had a say in how it should eventually be presented. We are trying to do a public service."

Dr. White said those asked regarding the statement "were picked much at random by us here in the college of education but mostly we selected deans in colleges of education because we knew them."

# Pensacola To Fight Integration

PENSACOLA, Fla. (AP) — The board which administers the city-county school system is making its plans to fight a suit seeking integration of the system.

The National Assn. for Advancement of Colored People filed the suit in U. S. District Court Feb. 1, and said it was the first class action of its type filed in the state.

School board members Wednesday said they felt they are complying with the laws relating to assignment of pupils.

# Florida Suit Attacks Pupil Placement

JACKSONVILLE, Fla. (UPI) — An attorney filed suit on behalf of 38 Negro children Friday to reorganize completely the public school system in Volusia (Daytona Beach) County in a novel attempt to end racially segregated classes.

NAACP attorney Francisco Rodriguez said if the suit withstands a court test, it may be used as a model for future legal action in the integration controversy. He described it as the "most extensive" integration suit "ever filed in the whole nation."

The attorney noted that for the first time, the suit admits in writing the plaintiffs (Negroes) have not exhausted administrative remedies provided by the Florida Pupil assignment law. The suit charged such remedies are "inadequate."

The suit, filed in the clerk's office of the U.S. District Court, named as defendants the Volusia County School Board, tis members, and County School Superintendent John H. Smiley.

The suit accused the school board of maintaining compulsory segregation in Volusia schools and of setting up a dual set of school zones based "solely upon race and color..."

# Escambia Race Suit Docketed

TALLAHASSEE, June 21 (UPI)—Federal District Judge Harrold Carswell today set for 11 a.m. Thursday a hearing on a suit seeking complete integration of schools, faculties and staffs in Escambia County.

Judge Carswell said the hearing will deal with a motion of the county school board to strike portions of the suit, filed by the NAACP on behalf of 12 Negro students at Pensacola.

The suit asks that classes be integrated and that the school board be barred from assigning teachers, principals and other school employes on a racially segregated basis.

Charles Wilson of Pensacola, NAACP attorney, said the suit is the first of its kind filed in Florida in that it is a class action to compel integration of all schools in the county. Previous suits filed in Florida have sought admittance of specific Negro pupils to specific white schools.

It asks that the school board be enjoined from assigning pupils on a basis of race or that it be compelled to file a plan for integration with a specified time.

The county has been ordered to produce all records on assignment of students since 1956, along with school board minutes dating back to 1954 and maps outlining school attendance zones.

One of the students involved, Karen Augustus, earlier appealed to the State Board of Education for admittance to the all-white school in Pensacola.

# Suit Seeks To 'Revise' Entire Daytona Beach County School System

## Seen As Future Model For Legal School Action

JACKSONVILLE, Fla. — (UPI) — An attorney filed suit on behalf of 38 Negro children Friday to completely revamp the public school system in Volusia Daytona Beach County in a novel attempt to end racially segregated classes.

NAACP attorney Francisco Rodriguez said if the suit withstands a court test, it may be used as a model for future legal actions in the integration controversy. He described it as the "most extensive" integration suit "ever filed in the whole nation."

The attorney noted that for the first time, the suit admits in writing the plaintiffs Negroes have not exhausted administrative remedies provided by the Florida Pupil assignment law. The suit charged such remedies are "inadequate"

The suit, filed in the clerk's office of the U. S. District Court, named as defendants the Volusia County School Board, its members, and County School Superintendent John H. Smiley .

The suit accused the school board of maintaining compulsory segregation in Volusia schools and of setting up a dual set of school zones based "solely upon race and color."

**PRAY FOR PLAN**

The Negroes said they "pray" the court will order the school board to devise an integration plan within a period specified by the court. They demanded a complete overhaul of the school system.

In Deland, county seat of Volusia County, school board attorneys John R. Goddee and Warren Hall declined to comment on the suit until they said they had seen and studied it.

Rodriguez said the suit differed from previous racial action in other counties and states in that it did not ask that any of the 38 children be assigned to any particular school. "Our purpose was to revise the whole school system in order to have non-segregated schools," he declared.

Many of the 38 Negro children and their parents listed as plaintiffs also were among the 32 signers of a petition presented in April to the Volusia School Board in a protest of alleged racial segregation.

The school board promptly filed suit asking the courts to declare the petitioners were without grounds. Rodriguez said a motion to dismiss the board's suit will be argued June 22.

Rodriguez said Friday's move was the forerunner of similar suits expected to be filed in "the next few months" for several other larger counties in the state. He declined to say which counties or to predict where the next suit would be filed.

**BY CIRCUIT COURT**

## Volusia Suit to Block Integration Bid Asked

The Times-Union Bureau

DE LAND, June 21—Circuit Judge Thomas N. Tappy today refused to dismiss a suit filed by the Volusia County school board against a group seeking to integrate the county school system.

The action followed Tappy's denial of a motion to dismiss a suit filed by counsel for some 32 Negroes and two white persons from the Daytona Beach area.

The board's suit seeks to have the integration petition voided on grounds that not all avenues of relief were pursued under provisions of the Florida pupil assignment act.

The school board also has filed in Federal District Court at Jacksonville a motion to stay an integration suit filed by counsel for the National Assn. for Advancement of Colored People pending disposal of the board's suit.

Francisco Rodriguez, Tampa attorney for the petitioners, argued today that the school board infers the relief sought is not necessary and the proposed solution under the assignment law would require individual court action for every Negro applicant to a white school.

He also declared the pupil assignment law does not apply in this case as the suit seeks a change of program. He cited several federal court rulings to support his contention.

Warren E. Hall, special counsel for the Volusia School Board, replied that the constitutionality of the state pupil assignment law was not at issue. Hall cited numerous decisions which he claimed proved state courts are not absolutely bound by interpretations of the federal courts.

## Court To Hear Integration Case

### Complete Desegregation Of Florida County Sought By 12 Negroes

By United Press International

TALLAHASSEE, Fla., June 21.—Federal District Judge Harrold Carswell Tuesday set Thursday for a hearing on a suit by 12 Negro students seeking complete integration of the Escambia County school system.

The hearing deals with a technical motion by Escambia County school officials to strike portions of the suit, first of its kind filed in Florida.

**Mixed Classes Sought**

The suit asks that classes be integrated and that the school board be prohibited from assigning teachers, principals and other school employes on a racially segregated basis.

School integration suits in Florida previously sought admittance of specific Negro pupils to specific white schools. This is the first class suit seeking integration of all pupils and teachers throughout a county school system.

It was filed by the NAACP at the request of the 12 Negro children because they did not have sufficient funds. Listed as attorneys are Thurgood Marshall and Constance Motley of New York, general counsels for the NAACP.

**Subpena Issued**

United States District Court in February issued a subpena ordering Escambia County School Supt. W. J. Woodham Jr. to produce all records relating to the assignment, transfer or admission of pupils since 1956, along with minutes of all school board meetings since 1954 and all maps outlining school attendance zones.

One of the Negro students involved is Karen Augustus, daughter of Dr. Charles A. Augustus, whose appeal for admittance to the all-white Oliver J. Semmes Elementary School in Pensacola was rejected by the State Board of Education last October.

**New Orleans Ministers Back Integration**

NEW ORLEANS, June 21. — (UPI)—Sixteen ministers from the United Church of Christ in New Orleans have issued a statement supporting integration in New Orleans schools in September.

The statement said the ministers, representing 13 of the 14 churches in the United Church of Christ ministerium, "regard the education of our children as a sacred obligation and duty. We hold that the rulings of the Federal Courts should be obeyed.

"We believe that to close the schools rather than obey the law would bring nothing but disaster to our community."

14d(1) 1960

FLORIDA

IN HILLSBOROUGH COUNTY

# 78 Negroes Seek Transfer To White Public Schools

TAMPA, July 18 (AP)—Seventy-eight Negro pupils seek transfer this fall to Hillsborough County schools reserved for white children, Supt. J. Crockett Farnell said today.

The group, he said, includes five of the eight children involved in a federal district court suit to lower segregation barriers in the classrooms here.

Several weeks ago Farnell said a large number of pupils had requested transfers. At that time, however, there was no figure available on race or the number of Negroes seeking to enter white schools.

Schools named in the requests to the school board "have not been fully tabulated," the superintendent said. However, the group is included in a total of 369 white and 107 Negro pupils who have asked for reassignment for various reasons.

Farnell said his office has mailed a letter to parents of all pupils regarding school assignment. He said the letter stated that requests for transfer would not be judged on race.

The school board is scheduled to act on the requests prior to opening of the schools in September.

Francisco A. Rodriguez, Tampa attorney for the National Assn. for the Advancement of Colored People, said he expects no settlement of the court case involving school integration this fall.

Even if the Negroes receive a favorable court verdict, he said, the school board could postpone final disposition by appealing to a higher court.

Negro leaders originally set their goal for integration of Tampa schools for September, 1959. They received a setback last August when Federal Judge George Whitehurst dimissed the suit.

He ruled the plaintiffs had failed to take the necessary administrative steps provided by the Florida pupil placement law before making their problem a court test.

The court of appeals at New Orleans overturned the ruling and instructed Whitehurst to hear the case.

The placement law gives county school boards authority to assign each pupil to a school. It was adopted by the legislature as a means of circumventing federal court rulings calling for integration.

# Single White Pupil to Quit Dade School

MIAMI, Sept. 18 (AP)—The father of the only white child at an integrated elementary school says he's going to put her in another school as soon as possible.

"One white girl and over 1,000 others—it's too many," said Ismael Martinez. "They don't like her in school."

Orchard Villa Elementary School, previously white, was the first integrated public school in Florida. When it was desegregated last fall, it had 12 white and four Negro pupils.

The neighborhood it serves is almost entirely Negro, and parents of the other white children already are sending them to other schools. The Negro enrollment now has increased to 1,046.

Martinez' 7-year-old daughter, Doris, differs with her father about being disliked in school. She says she gets along well with the other children and likes her teacher, a Negro.

Martinez, a Puerto Rican, said the second grader will be enrolled elsewhere as soon as he can sell his home in the Orchard Villa neighborhood.

ESCAMBIA ACTION

# Teacher Assignment Barred As School Race Suit Issue

TALLAHASSEE, June 23 (UPI)—Selection of teachers on a basis of race or color cannot be challenged in a law suit by Negro students seeking desegregation of classrooms in Escambia County, Federal District Judge Harrold Carswell ruled today.

Judge Carswell said students can no more complain of injury to themselves in the present selection of teachers than they could bring suit to enjoin assignment to their schools of teachers who are too strict or too lenient.

He struck from the suit all references to teachers and other school personnel and gave the county school board 20 days in which to answer portions dealing with desegregation of all schools in the Northwest Florida industrial county.

The NAACP, which brought the suit on behalf of 12 students in the Pensacola area, advanced two arguments for challenging the assignment of teachers on a basis of the race and color of children attending the school.

**Two Claims Rejected**

First, it was contended the children have the right to attend a school system where no decision of the school board is based on race, and second, that there is such community of interest between students and teachers as to give the students the right to bring a class action for teachers who are not a party to the suit.

Judge Carswell disagreed with both.

"This court finds that under the authorities cited, there is no holding that assignment of teachers, school personnel or principals on the basis of race or color is a violation of the equal protection clause adhering to students as defined by the Supreme Court," he said.

The jurist also ruled that no standard of mutuality can be established between pupils and teachers sufficient to permit the students to act as the representatives of the teachers before the court.

**Teachers Must Act**

This, in effect, meant that any challenge of the assignment of teachers would have to be made by the teachers themselves.

The suit asks that the school board be enjoined from assigning students on a racially segregated basis, or that it be required to submit a plan for integration within a time specified by the court.

NAACP Attorney Charles Wilson of Pensacola said the suit is the first class acton brought in Florida to seek integration of all schools in a county. Others, he said, dealt with the specific assignment of a child to a specific school.

County school board attorney Bert Lane was here to listen to the judge's nine-page ruling, but neither of the attorneys presented oral arguments.

# Integration Begins Quietly In Miami

MIAMI, Fla. (AP) — Florida's first race-mixing at lunch counters occurred quietly at four downtown variety stores in Miami, the state's largest city.

There was no advance public notice and no reported disturbance as small groups of Negroes quietly took seats Monday at counters where their sit - in demonstrations a few months ago caused furor and shutdowns.

Spokesmen for the city, Negro groups and store managements were reluctant to discuss the matter. Most of those who did asked that their names not be used.

A Negro who lunched at the F. W. Woolworth store lunch counter denied his group was acting by a concerted plan. Asked about the future, he said, "I imagine now that some have gone, they'll go again."

An executive in Grant's said 25 Negroes lunched there without causing disorder. The other stores were S. H. Kress and Walgreen's.

Farris Bryant, segregationist who as Democratic nominee is expected to become Florida's next governor, commented: "The law grants to every merchant the right to serve whomever he pleases and to refuse service to whomever he pleases."

Gov. Le Roy Collins, who said several months ago that he thought it morally wrong for a store to welcome Negro trade in some departments and bar it in others, said, "I understand this developed without fanfare and that is the way I think it should be left."

Durham, N. C., became the seventh city in that state to integrate lunch counters. The action came on a plan worked out by the mayor's committee on human relations which called for gradual opening of public eating facilities to Negroes.

There was no fanfare Monday as Woolworth and Kress variety stores and Walgreen's drug store opened up lunch counters to Negroes. There were few Negro patrons and no disorder.

Blows were struck in Petersburg, Va., as a seige of sit - ins to force integration of lunch counters continued. Police said John Panasuk Jr., assistant manager of Grant's, and James A. Mayfield, a Negro teacher, were charged with disorderly conduct after a brief scuffle.

Negro leaders said the sit - ins would continue although 15 arrests Sunday and 25 Monday would pave the way toward a test of Virginia's stiff, new anti-trespassing laws.

The Rev. Robert G. Williams, head of a Negro organization promoting the demonstrations, said, "Now we have it (the new law) in court and that's what we sought."

# Integrated, Now No Whites

MIAMI, Fla. —(AP)— Florida's first integrated public school may soon be all Negro.

Ismael Martinez, father of the only white pupil at Orchard Villa Elementary School, says he plans to withdraw his daughter, 7, as soon as he can sell his house and move.

"One white girl and over 1,000 others—it's too many," Martinez said. "They don't like her in school."

Orchard Villa, formerly a white school, was integrated last fall after the neighborhood surrounding it became largely Negro. It now has 1,046 Negro pupils—and Doris Martinez.

Several other Miami area public and parochial schools are integrated.

# Integrated Miami school may soon be all Negro

MIAMI, Fla., Sept. 19 — (AP) — Florida's first integrated public school may soon be all Negro.

Ismael Martinez, father of the only white pupil at Orchard Villa elementary school, says he plans to withdraw his 7-year-old daughter as soon as he can sell his house and move.

**"One white girl and over 1000 others—it's too many," Martinez said. "They don't like her in school."**

Orchard Villa, formerly a white school, was integrated last Fall after the neighborhood surrounding it became largely Negro. It now has 1046 Negro pupils—and Doris Martinez.

Several other Miami area public and Catholic schools are integrated.

# White Girl's Dad To Take Her Out Of Mixed School

MIAMI, Fla., Sept. 18.—(AP) —The father of the only white child at an elementary school says he's going to put her in another school as soon as possible.

"One white girl and over 1,000 others—it's too many," said Ismael Martinez. "They don't like her in school."

Orchard Villa Elementary School, previously white, was the first integrated public school in Flirida. When it was desegregated last fall, it had 12 white and four Negro pupils.

The neighborhood it serves is almost entirely Negro and parents of the other white children already are sending them to other schools. The Negro enrollment now has increased to 1,046.

Martinez' 7-year-old daughter, Doris, differs with her father about being disliked in school. She says she gets along well with the other children and likes her teacher, a Negro.

Martoinez, a Puerto Rican, said the second grader will be enrolled elsewhere as soon as he can sell his home in the Orchard Villa neighborhood.

Several other public and Catholic schools in the Miami area are integrated. There is no school integration elsewhere in Florida except on military bases.

# Lone Negro Girl 'Accepted' By 1,400 Miami Classmates

**Editor's Note—This year for the first time, a big junior high school in Miami has a Negro student. In the following article, a reporter tells of the student's experiences as a minority of one among 1,400, and the reaction of classmates and teachers.**

MIAMI, Fla. (AP) — Every morning, Rosetta Pearson, seventh-grade pupil at North Miami Beach Junior High, walks through the School's broad entrance patio by herself. When school is out, she leaves in the same way—alone.

Otherwise, school life for the only Negro pupil in the school of 1,400 students is little different from that of her classmates.

"I'm not going to say that the other students remain aloof, exactly," says a North Miami Beach teacher. "But it is a situation which has a degree of strangeness."

**NEW KID IN SCHOOL**

If you've ever been the new kid in school, you can imagine what it is like for Rosetta. People are friendly—but distant.

"As far as chumming around with her, such a thing doesn't exist," said the teacher, who taught integrated classes in the North before coming to Miami. "But they're not unfriendly," he added. "I think she's comfortable here."

Not all of the strangeness is due to her race, Rosetta's teachers believe. They point out that the school accepts seventh graders who come from half a dozen elementary schools in the area and the transition to the larger school involves some tensions for everyone.

For a pupil who comes from another part of the county—Rosetta attended the sixth grade at Brownsville Junior High in Miami last year—social acceptance is more of a problem. The students from the junior high's regular "feeder schools" come with already-formed social groups, and it takes a while for an outsider to find a place.

School officials say there have been no overt signs of hostility to Rosetta. The situation is described by one teacher as "just a natural thing."

With seven years of teaching experience, some of it with mixed classes in the poorer section of a large Northern city where some students carried knives, she feels that, "You can walk into a room and feel instinctively if there is something amiss."

She gets no such feeling in Rosetta's classes.

As for Rosetta herself, she says "I don't think it's any different than last year," when she attended an all-Negro school. "I guess I'm learning just about the same."

But she does think she's "having more fun" and she likes her new school very much. "Everybody's so nice to me," she adds.

Does she join groups in the schoolyard before the morning bell rings? Rosetta hesitates, then answers quietly, "Sometimes. I usually go right in or else I'll be late."

Rosetta's school mates find they "like her," think "she's all right," treat her "no different from anyone else," and simply 'don't like the idea of a colored girl in the school."

Their attitudes are as different as those you'll find in the adult population of the area.

"She' here, so we make the best of it," said a 13-year-old lad. "She sits by herself and doesn't bother anyone. I guess we just treat her like any other student." He said some students had friendly greetings, others said nothing.

**'NO HECKLING'**

"But there's no heckling or anything like that," an eighth grade girl said. "I don't like the idea of her being here, but I guess she's a human being just like I."

A seventh grade boy said students are friendly to Rosetta, "but she doesn't have any real friends." A girl in the same class said Rosetta sometimes eats lunch at the table with others, and occasionally walks home with some. "I like her," she said.

One teacher is quick to point out that North Miami Beach is by no means a typical Southern town. It is an area of recent rapid growth and most of the families live in newly constructed housing. They are of average or above average income.

He estimates that about 50 per cent of the Junior High students are Jewish children, who, as members of one minority group, have been taught respect for the rights of others.

**FEW SOUTHERNERS**

Few of the school's parents or teachers are native Southerners. Rosetta's mother, Mrs. Dell Pearson, belongs to the P-TA and has encountered no problems there.

"People have been very nice," she says.

Mrs. Pearson, who works as a maid in a private home, has nine children. One other daughter, Barbara, attends a white school, Fulford Elementary. Also the only Negro pupil in her school, she has been equally well accepted, her mother says.

She is careful to be casual about her daughters' roles as pioneers in desegregation.

"When they came home after the first day, I didn't ask if there was any trouble or if anyone did anything to them," she says.

"I just asked, 'How's school?' "

Both girls are happy, she says. Rosetta is a B student, and Barbara, who had trouble with her studies at all-Negro Floral Heights Elementary last year, is doing better.

Says Rosetta: "I like the teachers very much. They're very nice to me. I guess math is my favorite subject." She's also taking several science courses, but "I haven't decided what I want to be yet."

And how, from the school's standpoint, is integration working out?

"There's not much you can say," a school official comments. "They go to school, they study, and at the end of the day, they go home. That's all there's to

# Broad New Attack Made On Segregated Schools

## K.K.K. Chief Says He Will Sue Fla. Mixed Schools

MIAMI — (UPI) — Bill Hendrix of Oldsmar, head of the Southern Knights of the Ku Klux Klan, said Wednesday his group would file suit against any Florida school board allowing integration of public schools this fall.

"It is a violation of Article 12, Section 12 of the state Constitution," Hendrix said, "to allow Negroes and whites to attend school together."

He said Article 12, Section 12 stipulates white and Negro children shall not attend school together but requires equal provisions for both.

"The Southern Knights are in favor of a 'freedom of choice' school program for Florida," he said.

"This is a plan whereby a school district designates some schools for whites only, some for Negroes only and some for integrated classes. Parents could then take their choice on which school to send their children."

Hendrix said he and five other Klan officials were here observing lunch counter integration of some downtown drug and variety stores.

"We have no objection to store owners serving Negroes if they desire," he said. "We have always been for freedom of choice."

## West Palm Beach Turns Down 48 Negro Applicants

West Palm Beach, Fla. — (UPI) — The Palm Beach County School Board denied the applications of 48 Negro children to transfer to white schools Wednesday.

The board grouped the 48 applications together and denied them in a single motion. School board attorney Marshall Criser, in explaining the action, said "the applications were typed on the same typewriter, and all requested the transfer for the same reason: Because they lived closer to the school to which they requested transfer."

The board said its reason for denying the transfers was that the children lived outside the pupil assignment district of the white schools they applied to attend.

William Holland, Negro attorney who has been trying unsuccessfully for years to have his own son transferred to a white school here, said the action was proof the county maintains a "dual system of education."

He said that in no case did a child among the 48 live closer to the school he presently attends than to a white school. It is a violation of Article 12, Section 12 of the state Constitution," Hendrix said, "to allow Negroes and whites to attend school together."

He said Article 12, Section 12 stipulates white and Negro children shall not attend school together but requires equal provisions for both.

"The Southern Knights are in favor of a 'freedom of choice' school program for Florida," he said.

"This is a plan whereby a school district designates some schools for whites only, some for Negroes only and some for integrated classes. Parents could then take their choice on which school to send their children."

Hendrix said he and five other Klan officials were here observing lunch counter integration of some downtown drug and variety stores.

"We have no objection to store owners serving Negroes if they desire," he said. "We have always been for freedom of choice.

## 48 Negroes' School Shift Bids Denied

WEST PALM BEACH, Aug. 17 (UPI)—The Palm Beach County school board today denied the applications of 48 Negro children to transfer to white schools.

The board grouped the 48 applications together and denied them in a single motion. School Board attorney Marshall Criser, in explaining the action, said, "The applications were typed on the same typewriter, and all requested the transfer for the same reason: because they lived closer to the school to which they requested transfer."

The board said its reason for denying the transfers was that the children lived outside the pupil assignment district of the white schools they applied to attend.

William Holland, Negro attorney who has been trying unsuccessfully for years to have his own son transferred to a white school here, said the action was proof the county maintains a "dual system of education."

He said that in no case did a child among the 48 live closer to the school he presently attends than to a white school.

## Fla. suit asks ban on Negro foreman of jury

JACKSONVILLE, Fla. — A suit to compel the reorganization of the Volusia County-Daytona Beach school system on a non-racial basis has been filed by a Tampa NAACP lawyer.

The suit, described as the most extensive desegregation action ever filed, calls for an overhaul of the system of setting up assignments of pupils and personnel, school zones, allotment of funds, school building and approval of budgets—all without regard to race or color.

Attorney Francisco Rodriquez of Tampa said the suit may set a pattern for future legal tactics in the desegregation controversey. The Volusia County suit, he added, is the expected to be filed "in the next few months" in other large Florida counties.

* * *

**THE LAWYER** said that the suit differs from earlier ones in that does not request that any of the 48 children named as plaintiffs be assigned to any specific school.

Instead, it asks that the school board be permanently enjoined from "operating a compulsory bi - racial system."

**HOUSTON PLAN ATTACKED**

HOUSTON, Tex. — Lawyers for colored Houston pupils last week asked Federal Judge Ben Connally to order full racial integration of the city's schools in September.

The school board, under court order to file a desegregation plan, submitted a plan which calls for an elementary, junior high and senior high school to be integrated this year.

Students seeking to attend those schools would be compelled to take special medical and academic examinations.

The 174 other public schools in the city would remain segregated and students attending them would not have to take the special examinations.

Attorneys for the petitioning pupils contended that the school board's plan would actually set up a separate system of only three schools.

**VA. PUPIL GRADUATED**

NORFOLK — Patricia Goodbolt, one of 19 colored pupils admitted to formerly white Norfolk schools last year, received her diploma last week to become the first colored pupil to be graduated from an integrated school in Virginia.

Approximately 30 colored pupils had filed applications to enter white schools next fall when the deadline for such applications passed last week.

The total was seven greater than the 23 who applied last year, but 121 less than the 151 applicants of 1958, the first year the federal court desegregation order became effective.

**PRINCE EDWARD OFFER**

FARMVILLE, Va. — Southside Schools, Inc., which received one application last winter when it offered to set up segregated schools for colored pupils, is again offering to set up separate classrooms.

Prince Edward's public schools were closed last year when country officials refused to comply with a Federal Court desegregation order.

Since, no formal school arrangements have been made for the county's 1,700 colored pupils.

No interest has been shown by colored parents or pupils in the latest Southside School's Inc., offer.

## NAACP Eyes 3 Schools

### Hearings Due This Week

By PHIL MEYER
Herald Staff Writer

Miami Negro leaders will seek token integration of three more Dade County schools, G. E. Graves, attorney for the Miami Branch of the National Association for the Advancement of Colored People, said Saturday.

Graves represents four children out of about 80 who have requested public hearings under the Pupil Assignment Law. The School Board has set aside Monday, Tuesday, Thursday and Friday of this week to hear the 80 cases.

**The four NAACP-sponsored cases are scheduled for Tuesday afternoon. Two junior high schools and one elementary school are involved, Graves said. He refused to name them.**

If the School Board acts at the same speed as it has in other cases in the last two years, the four Negroes, even if successful, would not be admitted to the white schools until the fall of 1961.

This will be the third series of hearings since the passage of the Pupil Assignment Law, which gives school children of both races the right to public hearings if they want to attend schools other than the ones to which the School Board has assigned them.

The first hearing was in the fall of 1958, when four Negro children asked to attend Orchard Villa Elementary, which was then all white.

**Their requests were granted for the following year, and the school has since become predominantly Negro.**

Last year, six Negroes had hearings, and two have been admitted to white schools, effective next month. They are Barbara Pearson, who will attend Fulford Elementary, and her sister Rosetta, who will go to North Miami Beach Junior High.

Two who were turned down have invoked another assignment law procedure and applied the decision to the State Board of Education. They are Theodore Gibson Jr., who has been assigned to Booker T. Washington High, and Benny Pearson, who was assigned to North Dade High. Both are all-Negro schools.

Action is expected on their appeals this week.

**School officials said the remainder of the 80 cases which the board will hear this week include white pupils seeking transfer to other white schools, and Negroes wanting to switch to other Negro schools.**

Another 290 pupils of both races whose requests to change schools were denied by the School Board did not ask for hearings.

The increased number of pupil assignment cases is due to

a new enrollment procedure ordered by Federal District Court earlier in the year. It provides a convenient method for parents to request particular schools for their children.

A total of 635 parents submitted the requests, and 256 of these were granted.

# Await judge's decision

MIAMI — Dade County's religion - in-the-schools trial—a test case affecting religious liberty and separation of church and state — was concluded here last week.

Judge J. Fritz Gordon, who heard the case without a jury, reserved decision and asked both sides to submit briefs within 30 days.

At issue are a series of sectarian practices in Miami public schools that have been challenged by five Miami parents as divisive and unconstitutional.

Four of the parents — three Jewish and one Unitarian — were represented by Leo Pfeffer, associate general counsel of the American Jewish Congress and one of the country's authorities on church - state law. The fifth plaintiff — an agnostic — was represented by the Florida Civil Liberties Union.

**AJC OFFICIALS** said the trial marks the first time in American jurisprudence that a whole constellation of religious practices have been attacked in a single suit.

Evidence was introduced that religious observances regularly held in Miami public schools included: (1) Bible practices. (2) Prayers and grace. (3) Religious hymn-singing. (4) Religious holiday observances — including the "realistic" re -enactment of the crucifixion of Christ. 5) Religious symbols posted in classrooms. (6) Baccalaureate programs. (7) Religious censues. (8) Religious tests for teachers.

These practices, it was charged, are unlawful infringements on the religious liberty of the school child. Witnesses testified that even when attendance is not compulsory, pressures for conformity among school-age children make the right to be excused "illusory."

The school board had claimed that students were not required to participate in the religious observances.

If Judge Gordon's decision should uphold the Dade County school board, an immediate appeal will be taken by the AJC, it was announced. Both the AJC and the Dade County Board of Public Instruction have indicated they intend to take the case through the courts until the U.S. Supreme Court has an opportunity to hand down a definite ruling on the issue.

# Florida Pupil Assignment Law Once More In Federal Court

Atlanta Daily World

PENSACOLA, Fla.—The Florida Pupil Assignment Law came under legal attack here February 1 with the filing of a complaint in the Federal District Court by attorneys for the NAACP Legal Defense and Educational Fund, Inc.

The complaint was filed on behalf of Negro children in Escambia County, Fla., and against the Board of Public Instruction of the County and its school officials. It seeks a court order prohibiting the school authorities from operating and maintaining a dual system of public education.

**ASSIGNMENT LAW ATTACKED**

The focal point of the attack in the complaint is the Florida Pupil Assignment Law which permits school authorities to assign public school pupils on the basis of "sociological, psychological, ethical and cultural background and social scientific factors."

The law also gives the school officials authority to ask public school pupils seeking reassignment to give in detail specific reasons for the request and why they feel they would make a "normal adjustment" to the change in environment from one racial school system to the other.

The Pupil Assignment Law, however, has been applied only to the assignment and reassignment of Negro students.

In the complaint filed Monday, Legal Defense attorneys also charge the Escambia County school officials with maintaining two school zone lines, one for Negroes and the other for whites. The "colored school system" is staffed entirely by Negroes, the attorneys argue, and the "white" schools solely by whites.

Attorneys for the Negro pupils are Thurgood Marshall and Constance Baker Motley of New York, and Charles F. Wilson of Pensacola, Fla.

*IN SCHOOL BOND CASE*

The Fla. Times-Union

# High Court Rejects Segregation Issue

Jacksonville, Fla.

Thurs. 3-17-60

TALLAHASSEE, March 16 (AP)—A circuit court ruling that Florida counties cannot issue bonds to build segregated schools was overturned today by the State Supreme Court.

The high court in a unanimous seven-judge opinion said Circuit Judge T. G. Futch of Tavares was wrong when he held that the U.S. Supreme Court's public school desegregation ruling voided all constitutional and statutory authority for the issuance of school bonds in Florida.

Judge Futch had refused to validate a $5,600,000 Lake County school construction bond issue.

Futch's refusal to approve the bonds also was based on a contention that the county school board failed to follow lawful procedures in preparing the bond issue.

**Wrong Again**

The Supreme Court said he was wrong on this count, too. The court's 1-page opinion was devoted almost entirely to the technical aspects of the steps taken to float the bonds.

The court used only one paragraph to reject Futch's holding that bonds could not be sold to finance segregated school buildings.

"We think the following cases conclude this question contrary to the holding of the chancellor," the court said, then cited a 1954 Manatee County case and a 1956 Dade County case by title.

In another decision, the Supreme Court threw out the state law requiring a licensed pharmacist to be on duty at all times in a drug store.

**To Protect Public**

The court said the law obviously was designed to protect the public in the preparation and sale of potentially harmful drugs and medical supplies.

But the court said the modern drugstore not only fills prescriptions, but sells food, patent medicines, cosmetics, tobacco, household and personal articles "unending in number and description."

The court also ruled that the Jones Business College at Jacksonville is a non-profit corporation for educational purposes and entitled to exemption from property taxes. The private business school brought the lawsuit to block efforts of Duval County to levy property taxes against it.

# Florida Federal Judge Orders School Board Lawyer to Submit Plan for Complete Integration

The Miami Herald

Oklahoma City Okla.

Fri. 3-11-60

MIAMI, Fla.—(ANP)—Federal Judge Joseph Lieb last week ordered School Board Attorney Edward Boardman to bring him a plan that will enable Negro children to apply for admittance to any school in the system.

The judge issued the new order after rejecting a plan submitted to him by Boardman.

Boardman said he would be back with another proposal in "five or ten days."

Lieb said he had no objection to use of the state public placement law to assign pupils here. "I just want this part added," he told Boardman.

Boardman pointed out that two schools in Dade county already have started integration.

Monday's hearing resulted from a ruling by the U. S. Court of Appeals at New Orleans. It directed that Negro students be given a "reasonable and conscious opportunity to apply for admission to any school, and have that choice fairly considered."

**Submits Supplementary Resolution**

Boardman submitted Monday what he called a "supplementary implementation resolution."

Under the proposals, pupils would still be assigned to schools by the board. But all parents would be thoroughly informed of what they could do in case they were dissatisfied with their children's assignments.

Robert L. Carter, attorney for the six Negro children who filed the suit June 12, 1956, said the board should be compelled to "submit some plan to break up the pattern of segregation in some way." He said the proposed resolution gave pupils no opportunity to apply for entrance to the school of their choice.

# Ability Basis For School Segregation

The Florida Times-Union

Jacksonville

BY LOUIS CASSELS

By United Press International

Segregation of students by academic aptitude rather than race—is a rapidly spreading practice in U.S. schools.

It's called "ability grouping." There are many variations, but the basic idea is that children should be separated, for instructional purposes, into fast, average and slow-learning groups.

This is not a new idea. Educators have been debating its merits for more than 30 years, and there is still considerable controversy as to whether it is, on balance, a good or a bad thing.

During the 1930s and 1940s, most American schools felt it was best for all members of a class to work together. The early 1950s saw the beginning of a noticeable trend toward ability grouping. It was given powerful impetus in the past few years by the post-sputnik clamor for providing an adequate educational challenge to highly talented youngsters.

Today ability grouping is practiced, in some form, by a very large proportion of the big urban public school systems and by a growing number of smaller elementary and high schools.

Sometimes the grouping is done very informally. An elementary school teacher, for example, may have one set of work groups for reading instruction, another for arithmetic and still another for spelling. This flexible arrangement recognizes the possibility that a particular child may be strong in one subject and weak in another. It also makes it easy for him to shift from one group to another as his ability improves.

More elaborate arrangements are found in some schools. The children are divided into entirely separate classes, or even into separate "curriculum tracks."

Proponents say that ability grouping is the best answer to the problem of teaching children of widely varying mental capacity without having the bright ones held back to the pace of the slow-learners, or throwing the slow-learners up against a hopeless challenge.

Other Ideas

Other arguments for ability grouping include the following:

When the range of differences in a class is narrowed, the teacher can direct instruction more effectively to the specific needs of the students.

Superior students can work up to their full capacity without fearing that they will be socially ostracized by their less-talented classmates for showing off their ability.

Each child fights, so to speak, in his own weight.

One of the principal arguments against ability grouping is that it can have an unfortunate psychological effect on youngsters. The students assigned to the fast group may become insufferable little snobs. At the other extreme, the slow-learner label tends to

ADAMS MAPS STRATEGY

# Integrationist Charges Denied by Yarborough

By Times-Union Wire Services

Jess Yarborough, runoff candidate for secretary of state, denied yesterday that he is an integrationist and said he helped save Florida's schools from mass integration.

Sen. Tom Adams of Orange Park, his May 24 second primary opponent, met with key supporters in Jacksonville to map strategy. He said the same schedule was on tap for today.

Yarborough, in a statement issued at Miami, said, "All that 98 per cent of our colored population wants is to get along with the white folks. It is most unfortunate that vindictive extremists such as my opponent and his cohorts, have seen fit to depict me as an integrationist.

"Nothing can be further from the truth. Thousands of people from all parts of Florida and in all walks of life who know me personally can attest to the fact that I have been brought up under and believe in Southern customs and traditions.

"The Dade school board, of which I am a member, after having exhausted every possible legal recourse over a four-year period and with the federal courts breathing down our necks, and with all evidence indicating that the cards were stacked against us, pulled the rug out from under every court case pending attacking the Florida pupil assignment law.

"The Dade board, by placing four Negro children in Orchard Villa Elementary School, a community that changed almost overnight from white to colored, effectively stopped mass integration of Florida's public schools."

Yarborough said that if school boards throughout Florida will face reality with reason, the pupil assignment law will remain legal and public schools in this state will not face mass integration "in the foreseeable future."

Adams, in a pitch for the votes of candidates eliminated in Tuesday's first primary, pledged to be "an all-Florida secretary of state, doing a job for the entire state, not just a small one-county segment of the state."

IN FLORIDA NEXT FALL

# Negro Enrollment Bids At White Schools Seen

TAMPA, May 11 (AP)—A state Negro leader today predicted a mass attempt to enroll Negro children this fall in scores of Florida public schools reserved for whites.

The Rev. Leon Lowry of Tampa, state president of the National Assn. for the Advancement of Colored People, said his organization will sponsor the movement.

No specific schools have been singled out, he said, but "all of the metropolitan areas of the state will be affected."

He said parents throughout the state would be encouraged to attempt to enroll their children in the nearest school, without regard to whether it is a white or Negro school.

"I expect this will involve 400-600 children at Tampa," Lowry said. "However, I have no way of knowing how many will actually make applications."

Lowry indicated that some schools at Miami, Jacksonville, Orlando, Pensacola, Tallahassee, West Palm Beach and perhaps other cities would be affected.

"We feel we must make an all-out attack on the present policy of racial segregation in the schools," he said. "The Florida pupil placement law is all right if applied fairly, but we feel good faith is not being kept with us under this law."

Lowry's views came along with an announcement of a statewide NAACP meeting at Tampa Saturday and Sunday.

In addition to the school integration campaign, plans will be drafted at the meeting for sit-in and wade-in demonstrations and boycotts of stores which bar Negroes from lunch counters.

He said the wade-in demonstrations "will be conducted simultaneously from New Jersey down the East Coast, around Florida and through the Gulf states" in an effort to end segregation of beach areas.

Lowry emphasized that all NAACP-sponsored demonstrations would be conducted peacefully.

# Negro Says State Pupil Law Defied

MIAMI, May 11 (AP)—A Negro attorney who wants to get his son into a white school charges that the Palm Beach County school board by "bad faith, defiance and contempt" had prevented him from using the remedies of Florida's pupil assignment law.

William Holland Sr. of West Palm Beach asked a Miami federal judge yesterday to rule that his son may attend a West Palm Beach white school without pursuing all procedures under the assignment law.

Judge Emett Choate will hold a hearing on the issue at 2 p.m. May 20 in the Palm Beach County courthouse.

The last federal court ruling on the case said the boy and his father had not exhausted remedies under the assignment law.

Holland has been trying for four years to get his son, now 10, admitted to a white school.

His motion said the school board "through dilatory tactics" has "evidenced an intent" to use the state law as a means of forever preventing young Holland and other Negroes from exercising their rights under Supreme Court decision on school segregation.

# School Rule Date Noted By Negroes

By United Press International

These were among the developments yesterday as Negroes observed the sixth anniversary of the U.S. Supreme Court's 1954 school segregation decision.

At Tampa, some 25 young Negroes staged a seven-minute prayer service on the steps of the Federal Building while city police guarded against violence. The demonstrators were members of the NAACP's Tampa Youth Council.

Negroes staged two demonstrations in Memphis, Tenn., taking seats at drug store and variety store lunch counters.

Two Negroes staged brief sit-downs at a lunchroom at the Alabama Capitol in Montgomery and at the Montgomery City Library.

An estimated 10,000 persons assembled in New York City's garment district for a noon "freedom rally" and speeches by Negro leaders.

Negroes registered to vote in Haywood County, Tenn., for the first time since reconstruction days. Eight Negroes were registered as qualified voters in a country store near Brownsville.

The Congress of Racial Equality picketed the annual stockholders meeting of the S. H. Kress Co. in New York, demanding desegregation of Kress lunch counters.

In Washington, 65 students picketed the White House asking for statements from President Eisenhower and Congress supporting the Supreme Court's school segregation decision.

# Petition Asks Integration For Volusia

By The Times-Union Bureau

DE LAND, April 12—A petition signed by 32 Negroes and two white persons demanding integration of the Volusia County public schools was presented to the school board today.

The board unanimously adopted a resolution declaring that it "has not violated the laws of Florida nor the Constitution of the United States" in pupil assignment and authorizing board attorney John Godbee Jr. to retain special counsel "to aid and assist him in any litigation . . . which may arise."

The petition was presented by registered mail from Francisco A. Rodriquez, a Tampa attorney who said he had been retained to represent the petitioners. The petition said in part:

"We have noticed that nearly five years have elapsed since the U.S. Supreme Court issued its final decree banning racial segregation in the public schools of this nation. To date, we have been unable to observe any changes in the assignment of teaching personnel and students other than on a basis of race.

"We believe that the time for delay, procrastination or plain failure to act in complying with the constitutional interpretation of the U.S. Supreme Court has long past."

The petition called on the board "to reorganize your entire program" in accordance with the 1954-55 decision of the U.S. Supreme Court which decreed that the separate but equal doctrine "has no place in American education." It also demanded the assignment of teacher personnel in compliance with the court ruling.

U.S. Judge Rules

# Students Can't Challenge Teacher Selection By Race

Atlanta Daily World, Atlanta, Ga. Fri. 6/24/60

TALLAHASSEE — (UPI) — Selection of teachers on a basis of race or color cannot be challenged in a law suit by Negro students seeking desegregation of classrooms in Escambia County, Federal District Judge Harrold Carswell ruled Thursday.

Judge Carswell said students can no more complain of injury to themselves in the present selection of teachers than they could bring suit to enjoin assignment to their schools of teachers who are too strict or too lenient.

He struck from the suit all references to teachers and other school personnel and gave the county school board 20 days in which to answer portions dealing with desegregation of all schools in the northwest Florida industrial county.

The NAACP, which brought the suit on behalf of 12 students in the Pensacola area, advanced two arguments for challenging the assignment of teachers on a basis of the race and color of children attending the school.

First, it was contended the children have the right to attend a school system where no decision of the school board is based on race, and second, that there is such community of interest between students and teachers as to give the students the right to bring a class action for teachers who are not a party to the suit.

Judge Carswell disagreed with both.

"This court finds that under the authorities cited, there is no holding that assignment of teachers, school personnel or principals on the basis of race or color is a violation of the equal protection clause adhering to students as defined by the supreme court," he said.

The jurist also ruled that no standard of mutuality can be established between pupils and teachers sufficient to permit the students to act as the representatives of the teachers before the court.

The suit asks that the school board be enjoined from assigning students on a racially - segregated basis, or that it be required to submit a plan for integration within a time specified by the court.

NAACP attorney Charles Wilson of Pensacola said the suit is the first class action brought in Florida to seek integration of all schools in a county. Others, he said, dealt with the specific assignment of a child to a specific school.

# State Aide Silent on Mixing

Miami Herald

TALLAHASSEE — Integration of two Dade County schools didn't cut a ripple in official circles here Wednesday.

Assistant Attorney General Ralph Odum, the state's legal counsel in school segregation cases, said it would be improper for him to comment on the Dade County school board's action in ordering two Negro sisters enrolled next fall.

Miami Fla.

**"I do not have any information on the cases," Odum said, "while the local school board is thoroughly familiar with the facts and conditions that exist."**

Thur. 6/30/60

Gov. LeRoy Collins, Superintendent of Schools Thomas D. Bailey and Attorney General Richard Erwin all were out of town and unavailable for comment.

When the Orchard Villa School was ordered integrated by the Dade County School board a year ago, Collins said the assignment law permits local school authorities to handle applications from students at the local level.

# 14 Negroes' Suit Asks Integration At Jacksonville

The Atlanta Constitution Atlanta Ga.

JACKSONVILLE, Fla. (AP) — A suit was filed in behalf of 14 Negro children in U.S. District Court Tuesday asking the integration of the Duval County schools.

Wed. 12-7-60

Named as defendants are the county school board and its chairman, Raymond A. David, and Superintendent of Public Instruction Ish Brant.

The plaintiffs requested the board and superintendent "cease operating the public school system of Duval County on a compulsory racially segregated basis and . . . comply with the decision of the U.S. Supreme Court in the school segregation cases."

SUPERVISORY ROLE

# Negro Principal Given New Post

Jacksonville, Fla. The Fla Times Union

By TOM CHAPMAN
Times-Union Staff Writer

William D. Sweet, Negro school principal who went to court to preserve his status in the local school system, yesterday was approved by school trustees for a new post next year.

Wed. 7/6/60

The trustees debated only on Sweet's name before giving blanket approval to the long list of teacher appointments for the 1960-61 school session.

Ish Brant, school superintendent, presented the list to the trustees as his recommendation. Last step before the roster is settled will be what is usually a routine acceptance by the Duval County Board of Public Instruction.

Trustee Gordon Duncan, scanning the recommendations, opened the discussion by inquiring of Brant whether Sweet's new job as coordinator of the Negro adult evening program would be a promotion.

"It depends on how you look at it," Brant said. "Last year, Sweet was responsible for his own school while an assistant worked primarily in outlying adult school areas.

"Under a reorganized program, Sweet will have to handle the whole activity alone."

Duncan said, "The man's being put in charge of all the program. Don't you think it is a promotion?"

Brant answered no.

During the discussion, schools personnel director Kenneth Wing explained, however, that an evening school coordinator is paid about the same salary as an assistant principal.

Sweet was paid as a principal previously.

**Center of Dispute**

Sweet, along with Dr. Garrett H. Fortner, supervisor of industrial education, was the center of a year-long controversy with the school board.

Both Sweet,a school employe here for 29 years, and Fortner were recommended for reappointment for the 1959-60 school year by Bryant in the spring of 1959.

The recommendation was approved by the trustees and enacted by the school board, but a controversy later developed in the Negro adult educational program over reported over-expenditures and the program had to be curtailed temporarily.

In an apparent move to fire Sweet and Fortner, the school board refused to issue contracts to them.

Subsequently, separate writs of mandamus ordered the school board to pay Sweet and Fortner their salaries for the 1959-60 session.

A few weeks ago, Fortner was reappointed for the coming school year.

Since trustee L. B. McCullough was absent because of illness yesterday, unanimous approval of the new appointment list included only Duncan and Dr. Hugh Wilcox, chairman of the three member body.

Only one promotion was recommended yesterday by Brant. John Prom, assistant football coach at Robert E. Lee High School, was approved by the trustees for the school's post of assistant principal.

Prom succeeds Warren Kirkham, who became principal when Joseph W. Gilbert retired last month.

Wed 7/6/60

In other action, the trustees altered a section in the school system's policy handbook to strengthen trustee control over the non-school use of public school facilities.

**Procedure Change**

The changes involve the procedure which must be followed by a non-school organization in order to gain permission to use school grounds or buildings for projects, meetings or attractions.

designed to bring into accounting anyone responsible for allowing non-school use of the schools without first consulting the trustees.

Wilcox, who proposed the policy changes, cited as an example of the purported abuse of school facilities a recent staged by a dance school at a local elementary school.

"There were 800 people in the audience and the program lasted until midnight," Wilcox said. "I didn't know a thing about it until

stion was pre- Wilcox chose dance school at which the

fair." Wilcox re have been ces of similar

yesterday was

of the gate," mission for school use be first received no portion of the obtained from the trustees.

Wilcox said.

"The school system, under certain circumstances, will make agreements with private groups which want to charge admission, whereby the system will receive 25 per cent of the gross receipts to offset wear and tear to the property.

No Money Received

"I know the dance school charged admission, but we have

**Dade Board Rules**

# 2 White Schools To Admit Negroes

By PHIL MEYER
Herald Staff Writer

Token desegregation of two schools in North Miami Beach was ordered by a unanimous Dade County School Board decision Wednesday.

The board voted 4-0 to admit a Negro girl to Fulford Elementary School, 16140 NE 18th Ave., and another to North Miami Beach Junior High, 1075 NE 167th St. The two girls are sisters, Barbara and Rosetta Pearson, who live in the area.

As a result of the board action Fulford will become the third elementary school in Florida to be desegregated. North Miami Beach Junior High will be the first white secondary school in the state to admit a Negro.

Orchard Villa Elementary and Air Base Elementary were desegregated last September.

**While admitting the two girls Wednesday, the School Board voted to deny requests of 12 other Negro pupils seeking to attend white schools. Among these was Theodore Gibson, son of the local NAACP head, who had asked to go to Miami Jackson High.**

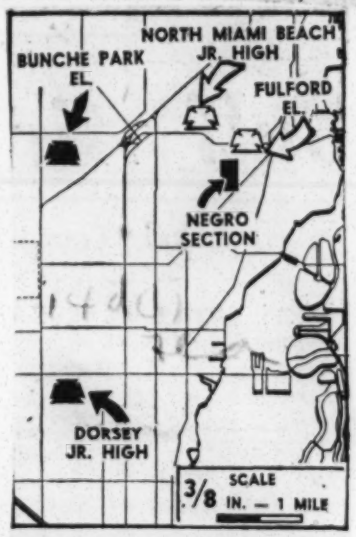
No reason was given officially for the decision in any of the cases. However, school sources said the two Pearson girls had the best academic records of any of the six, except for young Gibson.

In Gibson's case, the fact that he lives near Booker T. Washington High appeared to be the deciding factor in barring him from Jackson.

The board also approved the requests of two white children at Orchard Villa who wanted to switch to all-white Earlington Heights Elementary.

The same thing is not likely to happen in the case of Fulford Elementary. The nearby Negro district is small and it has not been growing appreciably.

**Fulford is a 35-year-old school which has been operating at about half its 600-pupil capacity. North Miami Beach Junior High, built in 1957, has a normal enrollment of 1,200.**




**DESEGREGATION means an end to long bus rides to two Negro pupils who live near white schools. Dark crosses indicate nearest Negro schools.**

Both schools are located within walking distance of the tiny North Miami Beach Negro district. Elementary pupils living there are normally taken by bus to Bunche Park Elementary in Opa-locka. Junior high pupils go eight miles southwest to Dorsey Junior High.

Among the 12 Negroes who were told they must stay in Negro schools, four had made their original requests last fall. One of them is a brother of the Pearson sisters. He was assigned Wednesday to North Dade High, a Negro school.

Any of the four may now appeal their cases to the State Board of Education.

The remaining eight unsuccessful applicants asked for transfer under new assignment procedures established in the spring to comply with a federal court order.

Three of these had asked to attend Crestview Elementary, two Carol City Junior High, and one each Edison Junior High, Redlands Junior High and South Miami Junior High.

**These pupils may appeal the Wednesday decision by asking the school board for a public hearing.**

The board's decisions were all unanimous with one exception: Mrs. Anna Brenner Meyers voted to admit young Gibson to Jackson.

Three board members—Helene Vosloh, Jess Yarborough, and C. Raymond Van Dusen—were absent.

Some 263 white pupils who asked to change schools under the pupil assignment procedures were given approval Wednesday. The requests of another 358 were denied.

—Herald Staff Photo by Doug Kennedy

**Rosetta and Barbara Pearson**
*... sisters who will attend white schools*

# 'I Got Down and Thanked the Lord,' Says Negro Mother

By E.V.W. JONES
Herald Staff Writer

Mrs. Doll Pearson said she "got down on my knees and thanked the Lord" when told Wednesday that two of her daughters had been assigned to white schools.

"I'm very happy," she said. "I believe it is a good step in the right direction. I'm not trying to stir up anything — I just felt I was within my rights."

The Dade County School Board voted unanimously Wednesday to assign her daughter, Rosetta, 11, to North Miami Beach Junior High, and another daughter, Barbara, 8, to Fulford Elementary.

**"I teach my children not to hate," said Mrs. Pearson. "I tell them I don't have any hate, and I don't want you to have any either."**

She said she pursued the "no hate" doctrine last year when she sought to have the youngsters enrolled in white schools and was turned down.

A son, Benny Jr., 15, seeks to go to North Miami Senior High and Mrs. Pearson has signed a preference card for him at that school, but the school board assigned him to North Dade.

"They're pretty well-behaved kids," Mrs. Pearson said. "I make them study right on through the summer. My daughter, Dorothy, who is 18 and was graduated from Northwestern Senior High this year, is their instructor."

**Dorothy said she plans to go to Dade County Junior College next year to study business administration and office management.**

"Mother wants me to be a teacher, but that's one thing we disagree on," said Dorothy.

Mrs. Pearson and her husband, Bennie Sr. (he spells it differently from Benny Jr.) moved to Miami five years ago from Greenville, Miss. They've lived at their present address in the northeast section for a year.

They have nine children in all.

# School Board Gives Answer To Negroes

Montgomery Advertiser

TALLAHASSEE, Fla. (AP) — The Leon County School Board Tuesday told a Negro group seeking a start on desegregation that the present segregated schools are serving the best interests of all people of Leon County.

Wkly. 1-6-60.

The Interdenominational Ministerial Alliance, made up of Negro ministers, asked the board by letter "what plans have been set up to move toward desegregation in the public schools of Tallahassee and Leon County?"

Chairman W. T. Moore Jr. suggested that the board's reply say that "The Leon County public schools are being operated in conformity with applicable laws in such manner as to serve the best interests of all the people in Leon County."

Asked whether the reply meant that the board had no desegregation plans, Moore said, "We are not making any further statement at this time. Whether we're making desegregation plans or not, we're leaving up to them (the Negroes) to assume."

He said no Negro child in Leon has applied for admission to a white school.

No members of the ministerial alliance was at the board meeting.

# Judge In Miami Orders Plan For School Bias End

Atlanta Daily World

MIAMI (UPI) — Federal Judge Joseph Lieb ruled Monday that Negro pupils in Dade County must be allowed to apply to enter the school they want to attend.

He directed School Board Attorney Edward Boardman to bring in a plan which would enable Negroes to do this. He rejected a plan suubmited by Boardman Monday as inadequate.

Boardman said he would be back with another proposal in "five to ten days."

Lieb said he had no objection to use of the state public placement law to assign pupils here. "I just want this part added," he told Boardman.

Boardman pointed out that two schools in Dade County already have started integration.

**APPEALS COURT RULING**

Monday's hearing resulted from a ruling by the U. S. Court of Appeals at New Orleans. It directed that Negro students be given a "reasonable and conscious opportunity to apply for admission to any school, and have that choice fairly considered."

Boardman submited Monday what he called a "supplementary implementation resolution." This, tacked onto the pupil assignment law employed here for the last three years, would satisfy the court of appeals order, he said.

Under the proposals, pupils would still be assigned to schools by the board. But all parents would be thoroughly informed of what they could do in case they were dissatisfied with their children's assignments.

Robert L. Carter, attorney for the six Negro children who filed the suit June 12, 1956, said the board should be compelled to "submit some plan to break up the pattern of segregation in some way." He said the proposed resolution gave pupils no opportunity to apply for entrance to the school of their choice.

# New Plans For Negro School Due

The Florida Times-Union Jacksonville

The Duval County Board of Public Instruction today will consider a revised set of plans and specifications for construction of the Pine Grove Elementary School, a 24-classroom structure for Negroes.

4-7-60

Construction bids on previous plans were rejected by the board as being too high. The board then ordered the architects to revise the plans and present them today.

The board also will consider:

Acceptance of an 11-classroom addition to Sherwood Forest Elementary School as "finally complete," in order that it may be used immediately.

Deeding 60-foot right of way to the County Commission at a new school at 6519 Knights Ln.

Approval of preliminary plans on the educational TV studio to be located on a King street site near Technical High School.

And numerous purchases ranging from projector lamp blubs to a new gymnasium floor for Landon High School.

The meeting is scheduled for 1 p.m. in the board room, County Courthouse.

# Deans Deplore School Closing

The Washington Post Washington D.C.

GAINESVILLE, Fla., Jan. 26 (AP)—Thirty-three Southern educators warned tonight that closing of public schools would lead to "collapse of our democratic society."

Sun., Jan. 28-60

The 2500-word statement was released in pamphlet form by the educators, five of them college presidents.

Florida led the number of signers with 8. North Carolina had 6; Tennessee, 5; Texas, 4; Kentucky and Virginia, 3 each; Maryland, 2; and Georgia and Alabama, 1 each.

**Little Rock Cited**

The Virginia signers were President Orville W. Wake of Lynchburg College, Dean Ralph Cherry of the University of Virginia and J. L. Blair Buck, of Richmond, president of the Virginia Committee for Public Schools.

The Maryland signers wer President Earle T. Hawkins of Maryland State Teachers College at Towson and Dean Vernon E. Anderson of the University of Maryland.

The educators said the statement was personal and that it was issued in the belief "that the welfare of the South and the preservation of our democratic heritage is dependent upon our ability to maintain a free and educated citizenry."

No mention was made specifically of segregation but the Little Rock school closing was cited. Businessmen and officials were quoted as saying that it hurt business, that some of the population moved away and that industrial prospects were lost.

The statement said abandonment of the tax-supported public school system and repeal of compulsory attendance laws would increase unemployment and junvenile delinquency and seriously harm economy in many area.

It said relatively few prvate schools would be "financially able to pay salaries sufficient to attract competent teachers. These will be schools with high fees which will be available only to children of the wealthy.

**Costs Would Rise**

"In many cases the sums paid by the state will not meet the cost of private schools. Thus the parents' outlay for education will be materially increased. No one seems to have really studied this aspect of the problem.

"There will be other losses. Many public schools have excellent opportunities for adult education.

"The Nation is straining every nerve to encourage able boys and girls to continue their schooling so that those who have ability in science and mathematics can share in developing the technology of our country."

Dean J. B. White of the University of Florida College of Education said the suggestion of formulating "a Southern attitude" came in a faculty meeting last spring.

# 33 Educators Warn Against School Close

Montgomery, Ala. Advertiser

GAINESVILLE, Fla. (AP) — Thirty-three Southern educators Tuesday night warned that closing of public schools would lead to "collapse of our Democratic society."

Tues. 1-26-60.

The statement—just short of 2,500 words—has been in preparation since May of last year. The idea came during a faculty meeting at the University of Florida. It was released in pamphlet form by the educators—five of them college presidents—whose names were listed alphabetically at the end.

Florida led the number of signers with eight and next in order were North Carolina six; Tennessee five; Texas four; Kentucky and Virginia three each; Maryland two; and Georgia and Alabama one each.

The educators said the statement was personal and that it was issued in the belief "that the welfare of the South and the preservation of our democratic heritage is dependent upon our ability to maintain a free and educated citizenry."

**INDUSTRY LOST**

No mention was made specifically of segregation but the Little Rock school closing was pointed out, quoting businessmen and officials as saying it hurt business, that some of the population moved away and that industrial prospects were lost.

The statement said abandonment of the tax supported public school system and repeal of compulsory attendance laws would increase unemployment and juvenile delinquency and seriously harm economy in many areas.

Regarding private schools it said relatively few would be "financially able to pay salaries sufficient to attract competent teachers. These will be schools with high feees which will be available only to children of the wealthy.

**NOT MEET COST**

"In many cases the sums paid by the state will not meet the cost of private schools. Thus the parents' outlay for education will be materially increased. No one seems to have really studied this aspect of the problem.

"There will be other losses. many public schools have excellent opportunities for adult education. Shops, art studios, kitchens, closing rooms, music studios provided with trained instructors are open to the adult public in the evenings. Large numbers of taxpayers have thus availed themselves of the opportunity to acquire new vocations, add vocational pursuits, bring their skills to a higher level, acquire new ones.

**'STRAINING NERVE'**

"The nation is straining every nerve to encourage able boys and girls to continue their schooling so that those who have ability in science and mathematics can share in developing the technology of our country. We must win the race against Communism and we cannot afford the loss of one person who has the potential to become a great scientist."

Dean J. B. White of the University of Florida college of education said the suggestion of "a Southern attitude" came in a faculty meeting last spring and "I did the leg work. The statement went to all those who signed it and all had a say in how it should eventually be presented. We are trying to do a public service."

Dr. White said those asked regarding the statement "were picked much at random by us here in the college of education but mostly we selected deans in colleges of education because we knew them."

Others who signed the statement included:

Dean Truman M. Pierce, Auburn University; Dean Lyman V. Ginger, School of Education, University of Kentucky; Dr. J. J. Oppenheimer, chairman, Department of Education, University of Louisville; President D. Harley Fite, Carson-Newman College, Jefferson City, Tenn.

Dean M. P. Davis, School of Education, East Tennessee State College; Dean Howard Kirksey, Middle Tennessee State College; Dean Felix G. Woodward, Austin Peay State College, Clarksville, Tenn.

# Bryant, Carlton Amplify Replies To Mixed School Use Question

The Florida Times-Union
Jacksonville, Fla.

TALLAHASSEE, May 23 (AP)— Farris Bryant and Doyle Carlton Jr., at the invitation of the Tallahassee Democrat, today amplified their answers to the question whether they would permit their children to remain in a school integrated by court order.

The question was put to the runoff candidates for governor during a joint television appearance at Orlando Saturday.

Malcolm Johnson, executive editor of the Democrat, offered the two candidates "an opportunity to give a more deliberate answer" in telegrams to them in which he said he considered the TV question requiring an impromptu answer "unreasonable, unfair, tending to distract voters and confuse the issues."

Answering the questions on the TV show, Bryant said: "I wouldn't have my child going to an integrated school. I would enter it in a private school if I had the means."

Carlton said before the TV camera, "If all legal means had been exhausted, I would let my child go to the school." After the program, he told newsmen he would not seek a course for his child that a poor man could not provide.

**Would Seek Transfer First**

In amplifying his answer, Bryant said:

"The question relative to my conduct as a father if the school in which my child was enrolled became integrated was given me for instant response without prior notice, whereas the same question was not asked of my opponent until 20 minutes later, and his final response was made to the press after the debate had been concluded.

"If a school in which one of my girls was enrolled was integrated, as a father I would first desire to transfer my child to another public school as provided by the pupil assignment law, and as was done by the parents in the Orchard Villa School of Dade County.

"If there should be no public school to which they could be transferred, I would then exercise the privilege to all Floridians under the provisions of a 1959 ...tute of transferring my child ...a private school.

"The statute to which I refer was adopted in 1959 for the express purpose of meeting this circumstance and my opponent voted for that bill."

The 1959 Legislature enacted a law which permits a parent to take a child out of an integrated school without penalty under the compulsory attendance act.

**Would Keep Child Enrolled**

In amplifying his answer to the question, Carlton said:

"If after all and every lawful and legal means have been resorted to and completely exhausted, a United States federal court should direct an individual Negro pupil be admitted to a school which one of my children is presently attending, I would not remove my child from attendance at that particular school.

"I am determined Florida will not be another Virginia or Little Rock.

"Speaking personally, I want to make it clear that as much as I and the parents of other children attending a particular school might disagree with the court order, I do not think my children should be given special treatment just because their father is governor or because I am financially able to send them to a private school.

"The point is that if the children of Florida are to receive an education, they must necessarily obtain it in the free public schools of this state, and I do not expect my children to be treated any differently than others.

"As governor, I shall never submit to a course of action for your child that I would not accept for my own."

# Palm Beach Board Has 2 Weeks For School Decision

The Birmingham World
Birmingham, Ala.
Sat. 5/28/60 p. 1

WEST PALM BEACH, Fla. — (UPI) — A federal judge ordered the Palm Beach County school board today to decide within two weeks whether it will permit a Negro boy to attend a white elementary school.

District judge Emet Choae also ruled the complainant, Negro attorney William P. Holland, could install the suit as a class action which will permit other Negroes to join the suit.

Choate did not order the school board to admit Holland's son, William, Jr., to the white school, Central Elementary. His order directed the board to issue its decision on the case under the pupil assignment law.

The 4-year-old case has been hanging fire since January when the school board, on order of the state board of education, held a public hearing.

Holland first filed suit four years ago seeking to have his son admitted to another white elementary school. Last year he moved his residence to what he termed an all-white neighborhood. He claimed the school board drew a line around his house to force his son to attend a Negro school. Judge Choate would not permit argument on that question at today's hearing.

# Two Assigned To Schools In Miami

Atlanta Daily World, Thurs. 6/30/60
Atlanta, Ga.

MIAMI (UPI) — The Dade County School Board Wednesday assigned two Negro pupils to all-white schools in Miami for the 1960-61 term.

The board assigned Barbara Pearson to Fulford Elementary School and her sister, Rosetta, to North Miami Beach Junior High School.

Two Dade County schools operated with token integration during the past year. They were Orchard Villa Elementary School, which had 350 Negroes and only nine whites, and the Air Base Elementary School, which the county operates for Air Force personnel at Homestead Air Force base. The school board had sent a few Negroes to the air base school.

The assignments Wednesday were considered an important departure from the tradition of assigning pupils to segregated schools here. The Orchard Villa integration was billed an "experiment" with a school in what has become a predominently - Negro residential area. There are several federally - operated schools for military posts in Florida whre whites and Negroes go to classes together.

Wednesday's action, however, was the first time a school board in Florida had simply granted the rekuest of Negro pupils to transfer to al-white schools.

The Negro children were among 635 children - white and Negro — who applied for transfer to different schools for the coming term. The board granted 265 of the requests.

Al lof those turned down, including 12 more Negroes who applied for transfer to white schools, have the right of appeal at a public hearing.

Florida's pupil assignment law puts the responsibility of making school assignments solely in the hands of local school boards.

The law, on which the state rests its hope to avoid massive race mingling in schools, allows local boards to make assignments on a variety of criteria, including scholarship and social adaptability.

Wednesday's action by the Dade board is expected to make the law stronger against attacks from integrationist leaders.

AT PIER AND BEACH

# Integration Push Slated By Bay County Negroes

The Florida Times-Union
Jacksonville, Florida
Mon. 6/20/60 p. 20

PANAMA CITY, June 19, (UPI) — Bay County Negroes will press county officials at an early date to be allowed to intergate the pier and beach of West Panama City Beach, a Negro leader said today.

Timothy Youngblood, a leader of the Bay County Progressive Voters League, said the decision was reached after Negroes decided to reject a proposal that Negroes be allowed free access to the beach now set aside for them in St. Andrews State Park.

Two weeks ago the Bay County Commission asked the State Board of Parks and Historic Memorials to move a park toll gate to a point beyond the entrance to the Negro beach so Negroes could enter free.

The officials also asked that the present sunrise-to-sunset hours at the park be extended for Negroes.

"To stop Negroes from paying and to require that the whites continue to pay is not right," said Youngblood. "This is complete segregation in things we are fighting to get away from now."

The decision to reject the commission's proposal was reached at a meeting of the Voters League, the Bay County chapter of the NAACP, the Ministerial Alliance and other interested groups, Youngblood said.

A committee was named and Youngblood was elected to head it. The committee is to try to arrange a private meeting with the commission "to discuss the matter more thoroughly."

"No matter how far officials or citizens may try to get away from the idea of the Negro people using this beach it will be in vain, for that is our starting point and we will always be there until we get what we want and not what you want to give us, for a new day is at hand now," said Youngblood.

"We are Americas citizens according to the 14th Amendment to the Constitution of the United States whether some people like it or not and we feel we need no special attention, privileges or what have you, but we just want

# Pensacola Board To Defend Suit Seeking School Mixing

PENSACOLA, Fla. (AP) — The city-county school board took the first steps Wednesday to fight a civil rights suit seeking integration of Negro students and teachers in the school system.

The board voted unanimously to defend against the suit. It voted to use county funds and authorized the retention of three Pensacola legal firms.

Board members also decided to send copies of the suit itself to the state attorney general, the state school superintendent and the school superintendents of each county in the state.

The suit was filed Feb. 1 in U. S. District Court by the National Assn. for Advancement of Colored People. An NAACP attorney said the class action was the first of its type filed in Florida.

The plaintiffs were listed as 12 Negro children, including two whose parents have sought for several months to have transferred to an all-white school.

School board members said they felt they are complying with the laws and regulations relating to assignment of pupils.

The board has about two more weeks in which to reply to the suit.

Thurgood Marshall, chief counsel for the National Assn., for the Advancement of Colored People, and his assistant, Mrs. Constance Baker Motley, filed the suit with local Negro attorney Charles M. Wilson.

Wilson said the NAACP was asked to help in the case because the children's parents were unable to afford prosecution of their suit.

The suit asked for "assignment of pupils on a non-racial basis, the assignment of teachers, principals and other school personnel on a non-racial basis, the drawing of school zone lines on a non-racial basis, and the elimination of any other discrimination in the operation of the school system based soely on race and color."

Wilson said the suit, in effect, asked for compliance with the Florida pupil assignment law on a non-segregated basis.

# Pensacola Parents File U. S. Suit For Desegregation

PENSACOLA, Fla. — (UPI) — Parents of 12 Negro children filed suit in federal court Monday seeking a plan of integration for Escambia County schools.

The suit asked U. S. District Court for "a decree directing defendants to complete plans, within a period of time to be determined by this court, for re-organization of the school system of Escambia County, Fla., on a unitary, nonracial basis."

It was filed against the county school board, School Supt. William J. Woodham Jr., and individual board members.

# Tampa Court Told To Try Race Issue

## Desegregation Suit Thrown Back By Higher Tribunal

NEW ORLEANS, April 15.— (UPI)—The United States Circuit Court of Appeals has ordered a federal District Court at Tampa to try a desegregation suit there on its merits it was learned Friday.

The suit was filed by a group of Hillsboro County, Fla., Negroes who charged discrimination against Negro children in the public school system. They asked for an injunction and a declaratory judgment to halt segregated practices.

The district court at Tampa threw out the suit on grounds that the plaintiffs had not exhausted administrative remedies. The lower court based its decision on the fact that Florida had adopted a pupil placement system since the suit was filed and held that operation of the placement system could make it possible for Negroes to be admitted to a school on a desegregated basis.

The Court of Appeals disagreed in an opinion made public Friday.

The higher court held that the Tampa plaintiffs do not have to exhaust administrative remedies, whatever they might be, before obtaining a court trial on the facts of their case.

The appeals court said in sending the case back to the Tampa Court that it, must hold a trial and allow the plaintiffs to develop their argument that, in spite of provisions of state law, they are still being discriminated against through the admission practices in Hillsboro County.

# Arguments Slated On Dismissing of Volusia Race Suit

The Times-Union Bureau

DE LAND, May 22 — Circuit Judge Thomas M. Tappy will hear arguments June 21 on a motion to dismiss a declaratory decree suit brought by the Volusia County school board seeking to have a school integration petition thrown out.

The dismissal motion was filed by Francisco A. Rodriguez, a Tampa attorney for the National Assn. for the Advancement of Colored People representing 32 Negroes and two white persons of the Daytona Beach area seeking integration of Volusia schools.

The school board suit claims the petitioning group has not followed all legal avenues provided in the Florida pupil placement law.

BY VOLUSIA N.A.A.C.P.

# Quashing of Integration Petition Suit Is Sought

The Times-Union Bureau

DE LAND, May 3—An 11-point motion to dismiss a Volusia County school board suit contesting a school integration petition was filed today in circuit court by a Tampa attorney for the National Assn. for the Advancement of Colored People.

A petition signed by 32 Negroes and two white persons demanding integration of the Volusia public schools was presented to the school board April 12. Two days later, the school board filed suit in circuit court to have the petition thrown out on grounds that all procedures under the Florida pupil placement act were not followed by the petitioners.

In the motion filed today by Francisco A. Rodriguez, it is held that equitable considerations require the dismissal of the decree suit "in that it would be impossible to frame an effective decree without setting this court up as a continuous perpetual supervisor over the activities of all parents who might not be in accord with" the school board's manner of assigning pupils.

Rodriguez further claimed that the court "would have to contravene well-established legal principles in the area of civil rights" if it granted the declaratory decree.

The school board "fails to state sufficient ultimate facts to show that injunctive relief is necessary, but on the other hand it affirmatively appears for the complaint and all therein contained that there is no need for injunctive relief," according to the motion.

It also is alleged that the school board has presented no facts to show that an actual controversy exists, has failed to state a justicible issue upon which any type of relief can be granted and that the court lacks jurisdiction over the subject matter of the suit and the defendants named.

Warren E. Hall, special counsel for the school board said the motion will be brought before Circuit Judge Thomas Tappy "at the earliest possible date." Judge Tappy was out of the county today and is not expected back before this weekend.

The Volusia County branch of the NAACP has established a fund for defending the suit filed by the school board.

SCHOOL SUIT FILED

# Integration Drive Begins in Volusia

By The Associated Press

A group of Negroes began a legal drive yesterday to force integration of schools in Volusia County.

Thirty-nine children joined by their parents filed suit in U.S. District Court in Jacksonville against the Volusia County school board and the county superintendent, attacking what they called "a compulsory biracial school system."

The bill of complaint was signed by Francisco Rodriguez of Tampa, an attorney for the National Assn. for the Advancement of Colored People.

Associated with him were New York attorneys Thurgood Marshall, general counsel and a director of NAACP, and Constance Baker, who has also represented the association.

The suit brought to four the number of integration cases involving Florida schools pending in federal courts.

A number of the complainants in yesterday's federal court suit are involved in a state court suit filed at DeLand by the Volusia school board.

**Board Rights Sought**

In the state court suit, the board has asked circuit court to determine under the pupil assignment law the rights of the board and a group seeking integration of several Volusia schools. A hearing on motions in the case has been set for June 21.

Complainants in yesterday's suit said the Volusia board maintained "a secondary system of colored schools or Negro schools limited to attendance by Negro children."

The biracial system, the bill said, violates the rights secured to them and members of their class by the due process and equal protection clauses of the 14th Amendment to the U.S. Constitution.

The complainants asked a federal court order barring the defendants from: operating a compulsory biracial school system in Volusia County; maintaining a dual scheme or pattern of school zone lines based upon race and color; assigning pupils, teachers, principals and other school personnel on a racial basis; approving budgets and conducting other business designed to support a segregated school system.

**Other Suits Indicated**

As an alternative, the court was asked to direct the defendants to present a plan within a period specified by the court for reorganizing the school system "into one unitary, nonracial school system" to include a provision for assigning children and school personnel on a nonracial basis.

The first name on the list of plaintiffs was Eugene Tillman Jr., son of the Rev. E. C. Tillman of Daytona Beach, one of two Negroes named by Gov. LeRoy Collins to a biracial committee to study Florida's racial problems.

Rodriguez said yesterday's move was forerunner of similar suits expected to be filed in "the next few months" for several other larger counties in the state. He declined to say which counties or to predict where the next suit would be filed.

In DeLand, county seat of Vo-

lusia, school Supt. John R. Godwen Hall said they would have hey had seen and studied it. Hall comment on the suit until

# Suit Seeks To 'Revise' Entire Daytona Beach County School System

The Atlanta Daily World
Atlanta Ga.
Sat. 6/4/60 p. 1

## Seen As Future Model For Legal School Action

JACKSONVILLE, Fla. — (UPI) — An attorney filed suit on behalf of 38 Negro children Friday to completely revamp the public school system in Volusia Daytona Beach County in a novel attempt to end racially segregated classes.

NAACP attorney Francisco Rodriguez said if the suit withstands a court test, it may be used as a model for future legal action in the integration controversy. He described it as the "most extensive" integration suit "ever filed in the whole nation."

The attorney noted that for the first time, the suit admits in writing the plaintiffs Negroes have not exhausted administrative remedies provided by the Florida Pupil assignment law. The suit charged such remedies are "inadequate."

The suit, filed in the clerk's office of the U. S. District Court, named as defendants the Volusia County School Board, its members, and County School Superintendent John H. Smiley.

The suit accused the school board of maintaining compulsory segregation in Volusia schools and of setting up a dual set of school zones based "solely upon race and color."

**PRAY FOR PLAN**

The Negroes said they "pray" the court will order the school board to devise an integration plan within a period specified by the court. They demanded a complete overhaul of the school system.

In DeLand, county seat of Volusia County, school board attorneys John R. Goddee and Warren Coe declined to comment on the suit until they said they had seen and studied it.

Rodriguez said the suit differed from previous racial action in counties and states in that it did not ask that any of the 38 children be assigned to any particular school. "Our purpose was to revise the whole school system in order to have non-segregated schools," he declared.

Many of the 38 Negro children and their parents listed as plaintiffs also were among the 32 signers of a petition presented in April to the Volusia School Board in protest of alleged racial segregation.

The school board promptly filed suit asking the courts to declare the petitioners were without grounds. Rodriguez said a motion to dismiss the board's suit will be argued June 22.

Rodriguez said Friday's move was the forerunner of similar suits expected to be filed in "the next few months" for several other larger counties in the state. He declined to say which counties or to predict where the next suit would be filed.

# Deny Any Race Bias In Ban From Florida School

Chicago Defender
Chicago, Ill.
Sat. 6/4/60 p. 12

WEST PALM BEACH, Fla. (UPI)—The Palm Beach county school board has denied it had "gerrymandered" school boundaries to keep a Negro attorney's son from attending an all-white elementary school.

The board also termed "unfounded" charges made by Atty. William M. Holland that the board was using the state pupil assignment law to maintain segregation and that facilities at Negro schools in West Palm Beach are inferior to facilities in white schools.

The board's statement came in response to a federal district court order. The court directed the board to explain why it had refused to enroll Holland's 10-year-old son, William Holland, jr., in a white school where he had sought admission.

The school board said the boundary line for the white school's district ended on the rear of Holland's residence and that the line had been established there for many years.

"We cannot allow individual students or their parents, because of their individual or group desires, to select the school they prefer their child to attend," said county school superintendent Howell Watkins.

# Dallas Teachers Asked To Get Signatures For Integration Election

The Call Kan. 6-3-60
Kansas City, Mo. p. 16

DALAS. — Door bells in homes in all parts of Dallas were being rung last week-end by teachers who were "asked" by Supt. W. T. White and the board of education to secure an additional 20,000 signatures on petitions for an election on integration made necessary by a state law.

Any desegregation of schools in any city without such an election to determine the will of the majority of citizens could be penalized by a loss of state educational funds.

Such an event, in the case of Dallas, would cause the loss of $2,700,000 annually. According to Board President F. Spafford, the election is the only way open for the Dallas board of education to comply with the law and dissolve the dilemma caused by conflict with the US court order to desegregate and the state law which demands public approval before desegregation. According to Supt. White, the state aid represents about 12 per cent of the Dallas school salary budget.

**Orders Revision Of Plan**

In a hearing on the integration question Wednesday when the Dallas board of education had been ordered to present a plan for the integration of schools before Judge Whitfield Davidson of the fifth US district court, the judge ordered a revision of the "stair-step" plan offered by the board at the same time that he refused to give favorable consideration to the objections to the plan as argued by NAACP lawyers headed by Thurgood Marshall of New oYrk.

The board plan would have begun integration in 1961 beginning with the first grade and proceeding at the rate of an added grade each year. Judge Davidson, in a 1 1-2 hour speech, suggested in place of the "stair-step" proposal that one white and one Negro school in carefully selected areas be designated for use by white and Negro parents who wished their children enrolled in integrated schools or to select areas in which there was "less opposition" to integration for beginning the system, proceeding progressively until the whole system was desegregated.

The speech of Judge Davidson consumed 1 1-2 hours of the two-hour long hearing in which the arguments of opposing attorneys took up only about 20 minutes. Attorneys on both sides were visibly confused by the procedure because the actual decision was not announced until Judge Davidson had completed his speech and adjourned the hearing.

Just before entering his chambers he explained that he would draft an order giving the board 20 days in which to file a new plan based on his suggestions and the objections of NAACP attorneys.

**"Salt and Pepper" Plan**

On Thursday following the hearing the Dallas school board filed its second integration plan based on the suggestion of Judge Davidson that special schools be selected to which parents desiring their children to attend ingegrated schools could send them and maintain segregated schools for all other children of both races. In a letter accompanying the plan the board indicated that it still favored the plan calling for desegregation by grades by years beginning in 1961.

The "salt and pepper" plan calls for a canvas of parents and pupils to find out who desires integration and who does not and to make plans for the selected schools on the basis of those findings

The board letter stated that it felt that both sides "will probably commend" the new plan. But according to W. J. Durham, one of the attorneys for the plaintiffs, his group would file their objections to the new plan as soon as possible and would request another hearing.

# Prince Edward County Again Integration Fight Center

The Sunday Star
Washington D.C.
Aug 10-9-60
pg C-3

By MARY LOU WERNER
Star Staff Writer

The beginning of the seventh school year since the Supreme Court's desegregation decision finds Prince Edward County, Va., once more in a crucial test of what lies ahead in the still-segregated South.

The Southside Virginia county was one of four that figured in the 1954 decree outlawing segregated public schools.

This time the question before the courts is whether public education can be abandoned as Prince Edward has done to avoid mixed classes.

With five Southern States — Alabama, Georgia, Louisiana, South Carolina and Mississippi — still holding out against any integration and some of them threatening to forego public schools rather than to yield, developments in Prince Edward are to be far reaching.

According to the latest survey by the Southern Education Reporting Service, 2,066 of the 2,834 bi-racial school districts in the 17 Southern and border States remain completely segregated.

## Few Added This Year

Of the 768 integrated districts, only 17 were added to the list this year. This includes five communities in Virginia, two in North Carolina, two in Oklahoma, two in Tennessee, three in Texas, two in Delaware and one in Arkansas.

Prince Edward was confronted with a court order to desegregate last fall. Instead, the local governing body withdrew from the public school business and refused to levy any taxes for public school support.

Private classes were arranged for white students, financed at first by donated funds. This year, tuition grants provided under the State's "freedom of choice" laws are being used for the private classes.

Negro parents set up training centers for their children, but say these do not take the place of formal schooling. Only one Negro child has applied for a tuition grant, which Negroes generally have scorned because they consider the grants part of a segregation scheme.

Lack of schooling for the county's 1,600 Negro children was explored recently by Health, Education and Welfare Secretary Flemming.

In an attempt to reopen Prince Edward's classrooms, attorneys for the National Association for the Advancement of Colored People have started the legal action which questions the county's right to bolt school doors.

They maintain that as long as public schools are operated with State support elsewhere in Virginia, they must be operated in Prince Edward. To do otherwise violates the equal protection clause of the Constitution and amounts to contempt of Federal Court desegregation orders, the NAACP attorneys claim. Public schools are maintained by a combination of State and local funds in Virginia.

The question of closing schools came up once before when Virginia's old massive resistance laws were being tested. One of the resistance laws required the closing of any public schools by the Governor when integration was ordered. Schools in three Virginia communities were shut down for a full semester before a three-judge Federal court held the law unconstitutional and enjoined the State from enforcing it.

## Public Participation

In their ruling, the judges had some things to say which the NAACP attorneys feel will bear heavily on the outcome of the Prince Edward case. The court said that as long as a State or city maintains or participates in the management of a school system, the closing of a public school or a grade to avoid desegregation while permitting others to operate at taxpayers' expense, violates the equal protection and due process clauses of the Fourteenth Amendment.

In the event the State pulled out of the public school business and local governing bodies took on the responsibility, the same principle would apply in those locatities, the court held.

In Warren County, Va., Negro students were admitted to a high school as a part of the State's integration

## What the Judges Said

But the judges had some other things to say which attorneys for Prince Edward County can be expected to use in rebuttal.

The court carefully noted that it was not directing the reopening of closed schools, but rather was enjoining enforcement of the law which closed them.

"We do not suggest that, aside from the constitution of Virginia, the State must maintain a school system. That is a matter for State determination," judges said.

A section of the State constitution requires the State to maintain a public school system. That section was upheld in a State court action in 1959. It is not an issue, however, in the pending Prince Edward case in which the school closings are being challenged on Federal constitutional grounds.

If the arguments of the NAACP attorneys prevail and the court holds that the State is obligated to educate all children as long as it educates any of them, there is likely to be a clamor from segregationist forces to give up a State system of public education and let the localities go their independent ways.

A side issue that could develop from the situation in Prince Edward is whether the tuition grant-supported private schools are really private as long as public tax money is supporting them. And if they are not private, can they remain segregated?

Defendants have until October 24 to file an answer in the Prince Edward case. After a hearing date is set, the case will be argued before Federal Judge Oren Lewis.

Here is a summary of the desegregation situation in each of of the 17 Southern and border States, as compiled by the Southern Education Reporting Service:

**LOUISIANA** — A struggle between the State government and Federal courts, much like Virginia's massive resistance battle two years ago, is raging as Orleans Parish approaches a November 14 deadline to begin desegration in the first grade. This would be the first integration in Louisiana public schools, and the first in what is regarded as the Deep South.

Gov. Davis—who has promised to go to jail rather than permit integration—seized control of the Orleans Parish schools, only to have a Federal Court take the schools away from him and return control to the local school board. State Attorney General Jack P. F. Germillion was cited for contempt in connection with one court hearing.

Seven of the State's anti-integration laws have been declared unconstitutional, but among those still in effect are several authorizing the Governor to close all the schools in a parish or the entire State when threatened by integration.

Several dozen new private school corporations have been chartered in anticipation of public school shutdowns. Louisiana has about 278,000 Negro pupils and 440,000 whites.

**ALABAMA**—Public schools reopened completely segregated. No Federal court orders have been issued to begin integration, and none appear imminent, although

Negroes have filed a school suit in Birmingham and another is threatened in Montgomery. Alabama has about 508,000 white students and 267,000 Negroes.

**ARKANSAS**—Dollarway School District at Pine Bluff admitted one Negro student to the first grade, making Dollarway the 10th school district in Arkansas to integrate to some degree. Two already desegregated Arkansas districts extended integration to additional grades. Arkansas has 226 bi-racial school districts, of which 10 are now integrated.

**FLORIDA** — Dade County remains the only area in the State with integrated public schools. White enrollment in the four integrated schools is around 2,300 and Negro enrollment is about 775. Negroes have sought to enter white schools in Pinellas, Hillsborough, Palm Beach, Escambia and Volusia Counties, but have been turned down.

**GEORGIA**—Complete segregation remains at all school levels. About one third of the one million public school pupils are Negro. Desegregation petitions have been filed with six school boards in the State, but only one—Atlanta—has been ordered to desegregate. Atlanta's deadline is May 1, 1961.

Federal Courts have agreed to accept a grade a year plan submitted by the Atlanta School Board, but because of past delays the board has been directed to integrate both the 12th and 11th grades in 1961, and then one grade a year in reverse stair-step fashion each term thereafter. When Negroes are admitted, the schools will close, according to Gov. Vandiver, who says he cannot do otherwise under Georgia's anti-integration laws.

**KENTUCKY** — There is little change in the Kentucky desegregation picture this year. Approximate enrollment is 572,000 whites and 43,000 Negroes, with approximately 13,000 Negroes now attending classes with whites. The State has 173 bi-racial districts, of which 124 are now desegregated.

**MARYLAND** — Close to one fourth of all Negro pupils in Maryland are now enrolled in formerly all-white schools. Integration this year is confined to the same 14 bi-racial districts which had it last year. None of the nine remaining bi-racial districts has received any applications from Negroes to enter white classes. Maryland has about 452,000 white pupils and roughly 135,000 Negroes.

**MISSISSIPPI**—Complete segregation is still in effect at all school levels, and Mississippi continues to be the only Southern State in which no school desegregation suits have been filed. Enrollment is around 292,000 white and 283,000 Negro.

**MISSOURI**—The State Department of Education estimates that Missouri's school system is 95 per cent desegregated.

**OKLAHOMA**—Two additional school districts desegregated this year, making a total of 189 desegregated districts out of the 241 bi-racial districts in the State.

**SOUTH CAROLINA**—Complete segregation continues at all school levels, although Clarendon County in South Carolina was one of the localities figuring in the original Supreme Court desegregation decision. The original suit has been dormant for several years, but new litigation was started recently in the same county. In addition, a desegregation suit has just been filed in Marion County. South Carolina enrollment is 356,000 white and 264,000 Negro.

**TENNESSEE** — Two additional school districts desegregated for the first time this year, making a total of six desegregated districts out of the 143 bi-racial districts in the State. Knoxville, began enrolling Negroes in the first grade under a grade-a-year plan ordered by the courts.

**TEXAS** — Houston, Friendship County and Fredericksburg desegregated this year, giving Texas 130 integrated school districts out of 720 bi-racial districts in the State.

**WEST VIRGINIA**—With all 55 school districts in the State already desegregated, there was little change this year.

**NORTH CAROLINA**—Two additional districts—Chapel Hill and Raleigh—integrated, making a total of nine North Carolina school districts that now have some integration. The total number of Negro students attending formerly all-white classes is close to 60, although exact figures are not available because some communities have not submitted enrollment figures for this year. Of 1,100,000 students, about 29 per cent are Negro.

**DELAWARE** — Two additional school districts—Seaford and Newport—enrolled Negroes in white classes, making 21 desegregated school districts out of the State's 51 bi-racial districts.

**VIRGINIA**—Integration extended to five new school districts, giving the State a total of 11 desegregated districts out of 128 which are bi-racial. Integrating for the first time were Richmond, Fairfax County, Roanoke, Pulaski County and the Grayson County-Galax community which share a common school. There were 103 Negroes in predominately white schools last year. This year, with additional Negro assignments that took place after the fall term began, the figure has increased to 158. This includes 24 Negroes attending formerly all-white classes in Fairfax County, where a grade-a-year plan was rejected by the courts. White enrollment in the Virginia schools attended by Negroes is roughly 35,000. Total State enrollment is around 668,000 white and 211,000 Negro.

# Peaceful Token Integration Marks School Opening

By THE ASSOCIATED PRESS

The nation's largest segregated school system at Houston opens today theoretically intergrated, but the Negro students won't be notified until Friday if they have been accepted.

The Board of Education voted Tuesday night to allow Negroes to enroll in first grades of previously all-white schools in the 170,000-pupil district but instructed Supt. John McFarland to delay their admission until Friday.

The decision prevented seven Negro pupils, who qualified under the board's transfer rule, from attending opening classes today.

Dr. Henry Petersen, board president, said the delay was needed to "process Negro youngsters."

"No court or court case says we must lessen the efficiency of our schools when we integrate," commented Stone Wells, board vice president.

The action was taken at an emergency board meeting shortly after the 5th Circuit Court of Appeals at New Orleans turned down an appeal and Texas Atty. Gen. Will Wilson ruled the district would not lose $6 million in state school funds.

Wilson held that a school district which integrated under federal court order did not do so voluntarily and thus was not subject to penalties of a state law.

The Houston developments came on a day marked by peaceful school integration for the first time in Richmond, Va., capital of the Confederacy, and two other Virginia cities, Roanoke and Pulaski.

Negroes attended public schools with white youngsters without incident in a gradually increasing number of other Southern cities. Florida's first public secondary school was integrated in token fashion when a Negro girl enrolled at North Miami Beach Junior High along with 1,390 white pupils.

But the Deep South states of Louisiana, Mississippi, Alabama, Georgia and South Carolina stood firm although New Orleans has been ordered to integrate Nov. 14.

A dozen Negroes attended opening classes with white pupils at Central and Hall high schools in Little Rock, Ark., scene of segregationist demontsartions in past years. There was no sign of trouble this time.

Near Pine Bluff, Ark., a Negro girl, 6, prepared to attempt to break the racial barrier today at the all-white Dollarway District School. Dolores Jean York, a first grader, was assigned to the school by the board in compliance with a federal court order.

Segregationists have been active in the Dollarway District since three Negro teen-agers tried unsuccessfully to integrated the school early in 1959.

Capt. Mack Thompson of the state highway patrol said troopers would be on a standby basis in Little Rock, 65 miles away, and that others in the Pine Bluff area could be called in quickly.

At Chicago, 40 policemen were called out to disperse about 1,000 white persons protesting the presence of four Negroes at Rainbow Beach on the city's South Side. One white youth was arrested on a disorderly conduct charge.

Back in the South, a Negro girl was assigned to Fulford Elementary School in Miami and four Negro boys to two Catholic schools—Archbishop Gurley High and Notre Dame Academy. Two other schools in the area began the second year of integration.

North Carolina's limited school regationist demonstrations in past nearby Chapel Hill, bringing to nine the number of cities in the state with some mixed classes.

In Virginia, 21 Negroes attended classes for the first time with white pupils in Richmond, Roanoke and Pulaski. In addition, 72 Negroes returned to previously integrated schools in Norfolk, Charlottesville and Alexndria, and three Negroes were enrolled in a Roman Catholic parochial school at Danville.

Two teen-age Indian girls continued their sit-in at the all-white high school in Dunn, N. C., and were joined by a Negro youth. Indian parents said they planned to continue their efforts to get their children admitted to the school.

At Smyrna, Tenn., a Negro girl, 14, was attending classes with 400 white pupils at Smyrna High. An elementary school was integrated last year.

In Roanoke, Va., four white persons were stoned by three Negroes in a fight over use of a basketball court in a park.

# Integration Takes Effect In Scattered Locales

The Christian Science Monitor
Boston, Mass
Wed, Sept 7 1960

By the Associated Press

Houston, Texas

Parents of two Negro first graders sought to enter their children in a previously all-white school here Sept. 7 but school authorities did not enroll them immediately.

Instead, the parents were given standard admission forms to fill out.

The attempts to enroll the children were the only immediate developments when the nation's largest segregated school system opened its doors for the fall term under federal court orders to integrate.

School officials said it will be at least Monday before Negroes are admitted to previously all-white schools.

The Board of Education voted Sept. 6 to allow Negroes to enroll in first grades of previously all-white schools in the 170,000 pupil district but instructed superintendent John McFarland to delay their admission until Sept. 9.

The decision prevented seven Negro children, who qualified under the board's transfer rule, from attending opening classes Sept. 7. Dr. Henry Petersen, board president, said the delay was needed to "process Negro youngsters."

"No court or court case says we must lessen the efficiency of our schools when we integrate," commented Stone Wells, board vice-president.

The action was taken at an emergency board meeting shortly after the 5th Circuit Court of Appeals at New Orleans turned down an appeal and Texas Attorney General Will Wilson ruled the district would not lose $6,000,000 in state school funds.

Mr. Wilson held that a school district which integrated under federal court order did not do so voluntarily and thus was not subject to penalties of a state law.

### Token Florida Step

The Houston developments came on a day marked by peaceful school integration for the first time in Richmond, Roanoke, and Pulaski, Va.

Negroes attended public schools with white youngsters without incident in a gradually increasing number of other Southern cities on the traditional school opening day—the day after Labor Day.

Florida's first public secondary school was integrated in token fashion, for example, when a Negro girl enrolled at North Miami Beach Junior High along with 1,390 white pupils.

But the Deep South states of Louisiana, Mississippi, Alabama, Georgia, and South Carolina stood firm. However, New Orleans has been ordered to integrate Nov. 14 and Atlanta by next fall.

A dozen Negroes attended opening classes with white pupils at Central and Hall High Schools in Little Rock, Ark., scene of segregationist demonstrations against racial mixing in past years. There was no sign of trouble this time.

### Attention on Dollarway

Near Pine Bluff, Ark., one six-year-old Negro girl prepared to attempt to break the racial barrier Sept. 7 at the all-white Dollarway District school. Dolores Jean York, a first grader, was assigned to the school by the board in compliance with a federal court order.

Segregationists have been active in the Dollarway District since three Negro teen-agers tried unsuccessfully to integrate the school early in 1959.

The chief of the State Highway Patrol said troopers would be on a standby basis in Little Rock, 65 miles away, and that others in the Pine Bluff area could be called in quickly. "We are not expecting trouble at Dollarway, but we will be ready," he said.

### Miami Action Taken

At Chicago, 40 policemen were called out to disperse about 1,000 white persons protesting the presence of four Negroes at Rainbow Beach on the city's south side. One white youth was arrested on a disorderly conduct charge.

Back in the South, a Negro girl also was assigned to Fulford Elementary School in Miami and four Negro boys to two Catholic schools — Archbishop Curley High and Notre Dame Academy. Two other schools in the area began the second year of integration.

North Carolina's limited school integration spread to Raleigh and nearby Chapel Hill, bringing to nine the number of cities in the state with some mixed

In Virginia, 21 Negroes attended classes for the first time with white pupils in Richmond, Roanoke, and Pulaski. In addition, 72 Negroes returned to previously integrated schools in Norfolk, Charlottesville, and three Negroes were enrolled in a Roman Catholic school at Danville.

Two teen-age Indian girls continued their sit-in at the all-white high school in Dunn, N.C., and were joined by a Negro youth. Meanwhile, Indian par-

# Racial Unrest Plagues South As Schools Open

By THE ASSOCIATED PRESS

Fighting a last - ditch battle against integration, Houston has asked the state of Texas to invoke the ancient doctrine of interposition to prevent racial mixing in its public school classrooms.

The Houston School Board, under federal court order to integrate the first grades when school opens Sept. 7, appealed to Gov. Price Daniel to interpose himself between the district and the federal government.

The board said Daniel is the district's last hope for keeping schools segregated.

Integration of first grades of New Orleans public schools was delayed at least until Nov. 14 by one of the federal judges who recently enjoined Louisiana Gov. Jimmie Davis from interfering with the Orleans Parish School Board. U. S. Dist. Judge J. Skelly Wright said the board informed him it would be impossible to comply with the Sept. 7 integration date because of Davis' seizure of the schools Aug. 17.

In Darlington, S. C., four young Negroes bearing anti-segregation placards were arrested as schools opened on their traditional segregated pattern.

Nashville, Tenn., quietly began the fourth year of its grade-a-year integration program and several Negroes were expected to register today in previously all-white Knoxville schools in the first year of a similar plan.

In Dunn, S. C., 10 Indians unsuccessfully sought to enter the all-white high school, and in St. Louis, the 8th U. S. Circuit Court of Appeals ruled that the Dollarway, Ark., school district had applied the state school placement law illegally.

While still endeavoring to delay integration, Houston opened registration for its first grades and kindergarten Tuesday. No Negroes tried to enroll in all-white schools.

The board's appeal for a delay recently was turned down by the 5th U. S. Circuit Court of Appeals in New Orleans. But attorney Joe Reynolds has mailed another request to the U. S. Supreme Court.

In appealing to the governor by a 4-2 vote, the board fell back upon one of the early theories of states rights—that a state could interpose its sovereignty to prevent usurpation of power by federal courts.

Daniel, who has said he believes desegregation is a local problem, declined to comment on the Houston board's request.

As New Orleans integration was delayed 2½ months, the state pressed its appeal for an order holding up the integration ruling. Atty. Gen. Jack Gremillion said the U. S. Supreme Court will hear the state's plea for a stay order Thursday.

The three-judge court set aside a state law giving the governor authority to take over school systems threatened with integration.

In Darlington, the father of one of the youths arrested obtained school blanks and told Supt. G. C. Mangum he was "interested in getting our children in better schools."

Police Chief J. P. Privette said the four young Negroes arrested near school property for parading without a permit bore placards, one of which read "Jim Crow must go."

The ruling of the St. Louis court sends the case of the rural Dollarway district, near Pine Bluff, back to the district court in Little Rock for further proceedings.

The Dollarway district has assigned one Negro girl to the first grade of the all-white school. But the St. Louis court said it had not made a reasonable start toward desegregation and declared: "Standards of placement cannot be devised or given application to preserve an existing system of imposed segregation."

Sporadic outbursts of racial violence continued in Jacksonville, Fla., where a Negro died early Tuesday in a car wreck following a volley of gunshots. An autopsy disclosed that Edward Davis, 27, was killed by a small caliber bullet in the brain.

The Jacksonville Ministerial Alliance called a secret meeting of white and Negro leaders in an attempt to ease the troubled situation.

## Integration Opposed

### A Southern View Stated Regarding Negroes in White Schools

TO THE EDITOR OF THE NEW YORK TIMES:

I have just finished reading your editorial of Aug. 29 titled "As School Starts."

You make the observation that the "far-sighted, perceptive and law-respecting elements of the white population * * * understand that integration must win * * * because it is morally right and is in the mainstream of the American tradition which seeks equality of treatment and opportunity for all our citizens." It is indeed a tragedy that by your definition the overwhelming majority of white persons in the South must be classified as short-sighted, unperceptive and lawless.

I am interested by your conclusion that there is moral rectitude in compelling the integration of Negroes and whites in Southern schools. What a change of morals, or the interpretation of what constitutes morality, has taken place in a short time. Apparently we were terribly deluded by our conviction that morals were long-standing rules of right and wrong. We must have been sorely deceived, for here, within a decade, a whole new set of rules has suddenly become moral, and all of the principles heretofore governing the relationships between the races have become immoral.

But, of course, the sane and responsible people of the South are not being fooled by the gales of moral righteousness emanating from power-hungry advocates of the new morality. These Southerners fully understand that social innovations can only be effected gradually.

**Proportion of Races**

How many of you that demand compliance with the Supreme Court desegregation decision have any genuine understanding of the effect upon the Southern educational system of this demand? For instance, do you know that the implementation of this integration would cause the schools to be filled half with colored and half with white?

Let me ask those who would read these words whether your children are in attendance at a school with such a proportion of Negroes. And, if they are in attendance, if it has proved beneficial. If your children do not attend such a school, you are the worst type of hypocrites.

The Southern Negro is a person whose social behavior is presently below that of the social behavior of the average white. If this is the truth, and only blindness would permit any other conclusion, then the way for the improvement of the Negro must come through the Negro's helping himself. Unless and until this happens, all of the rules of forced association, compulsory integration and the new morality must go for naught.

You close your editorial by referring to the "handwriting on the wall" on the question of the full implementation of the Supreme Court decision. The sane Southerners, too, can see the "handwriting on the wall." It is a handwriting that will be written in violence and blood. No intelligent Southerner wants to see this, but we all fear that it will be the inevitable result of the force that is being imposed upon the South by the purveyors of revolutionary social innovations.

For the sake of our whole people, both white and colored, it is to be hoped that sanity will prevail and that reappraisals of present directions and efforts will result in avoidance of the strife now growing in the Southland. JOHN A. MARQUE.

New Orleans, Aug. 30, 1960.

## INTEGRATION SAID TO AID WHITES, TOO

### 2 Educators Say Classroom Democracy Means Better Education in Realities

### PESSIMISTS ASSAILED

### City College Professor and Washington School Head Report on Progress

The widely held belief that school desegregation helps only the Negro was challenged yesterday by two educators.

Dr. Kenneth B. Clark, Associate Professor of Psychology at City College and a leading proponent of speedy integration, contended that Negro and white students benefited by studying together. A similar view was expressed by Dr. Carl F. Hansen, superintendent of Washington, D. C., schools which were among the first to desegregate.

Dr. Clark expressed his views in the current issue of Teachers College Record, published by Teachers College of Columbia University.

**1st Ad Segregate—**

Dr. Hansen made his comments both in the Record and in a special issue of the Harvard Education Review devoted to Negro education in the United States.

**No Harm Seen Resulting**

"It is not true," Dr. Clark wrote, "that white children will be harmed or will not benefit from desegregated schools. Segregated education is inferior and nonadaptive for whites as well as Negroes." He continued:

"No child can receive a democratic education in a nondemocratic school. A white youngster in a homogeneous, isolated, 'hothouse' type of school situation is not being prepared for the realities of the contemporary and future world.

"A racially segregated school imposes upon white children the inevitable stultifying burdens of petty provincialism, irrational fears and hatreds of people who are different, and a distorted image of themselves."

Dr. Hansen called attention to the Washington schools, which have curriculums that provide for all levels of ability.

**Scores Pessimists**

"How has the white pupil fared under desegregation?" he asked. "The prophets of doom were loud in their cries that in integrated schools the advancement of the white student would be held back by the retarded student, the gifted by the less gifted, the white by the Negro." He went on:

"Even a passing acquaintance with ability grouping techniques that have been standard practice in the nation's schools for years should have laid this ghost at the outset."

As an example, Dr. Hansen said that in 1955-56 sixth-grade pupils in the Washington schools were below the national level, while in 1958-59 sixth-grade pupils were at or above the national norms. The earlier group was segregated; the later, integrated.

Dr. Hansen said the academic achievement levels for the honors and the regular college preparatory groups were "very high."

"While no count is made of racial enrollments of the curricula tracks," he said, "probably more than three-fourths of the group and more than two-thirds of the college preparatory group are white."

"Integration has apparently no harm to the ability for learning,

# Supreme Court Adds Force To School Integration In South

By THE ASSOCIATED PRESS

The U. S. Supreme Court has moved to step up the pace of public school integration in several areas at the start of the seventh school year since the desegregation ruling.

Thursday the court rejected pleas for delay at Houston, Tex. largest segregated school system in the South; at New Orleans where state and federal officials have bee nat odds for weeks; and in Delaware.

The action led Dr. Henry A. Petersen, president of the Houston School Board, to say he hoped Gov. Price Daniel would forestall intregation of the first grades Sept. 7.

The first grade at New Orleans was ordered integrated Sept. 8 by U. S. District Court Judge J. Skelly Wright. However, he granted a delay until Nov. 14 when the board contended it could not implement the ruling at the start of the school year after Gov. Jimmie Davis seized control of the school system Aug. 17.

A three-judge court returned control of the New Orleans schools to the School Board Saturday. But the governor asked the Supreme Court to stay the order.

Davis declined comment on the Supreme Court's refusal to do this. But a statement issued through his press secretary declared: "Nothing has happened which has changed the determination of the public officials of the State of Louisiana to continue our system of public education on a basis of separate but equal facilities for both races."

The Supreme Court denied a plea by attorneys for the National Assn. for the Advancement of Colored People that integration begin in New Orleans at the start of the school year Sept. 8 instead of Nov. 14.

The court also rejected a plea to delay effectiveness of a July 19 ruling of the 3rd Circuit Court of Appeals in Philadelphia that Delaware's grade-a-year plan was too slow. The appelate court Monday ordered a modified plan be prepared for full integration of all grades by the fall of 1961.

While the court was acting in Washington, a NAACP regional director, Ruby Hurley of Atlanta, told a Jacksonville, Fla., news conference that five Negro gangs with 2,000 to 3,000 members were behind most of vandalism which has taken place in that racially troubled city.

She said Negro leaders were working around the clock to calm the gangs.

For the third day in a row, seven indian children were thwarted from attending classes with white pupils at a high school in Dunn, N. C. They were taken into custody twice by police and later released without charges.

In Virginia, seven Negro pupils were turned away by school officials when they attempted to resigter at white schools in Stafford and Portsmouth. In Alabama, a riot brigade was reported ready for action if violence erupts when the state's segregated schools reopen next week.

## INTEGRATION--NEW YORK TO DIXIE

Journal & Guide Norfolk, Va.

# In New Orleans: People Mixed --Schools Aren't

Sat. 9-10-60 P. 20

14d(1) Original

ATLANTA —(ANP) —From New York to New Orleans, the implementation of the six-year-old Supreme Court order to integrate segregated schools went forward last week at snail's pace in the face of stubborn southern resistance.

Up North in New York City where there are no segregated schools by law, the school board was striving to perfect integration which has been thwarted by segregated residential patterns.

**DOWN SOUTH** in New Orleans — where the people are mixed but the schools aren't—the Supreme Court, in effect, approved a two - month delay for the beginning of integration.

**And in North Carolina, American Indians were suing sit-down techiques used successfully Negroes, to gain admittance to a white high school.**

### Round-Up

**Here is a round up of integration developments during the week.**

WASHINGTON — The Supreme Court last week refused to stop the scheduled integration of public school systems in New Orleans and Houston, Tex.

The action cleared the way for the integration of the first grade in the two cities beginning this fall.

At the same time, the Supreme Court backed a district court order, issued earlier which postponed the start of integrated classes from Sept. 6 until Nov. 14 in New Orleans.

### New York

NEW YORK — The New York City Board of Education has made a major departure from its previous school integration policies.

The board announced that pupils in 21 largely segregated junior high schools in Manhattan, the Bronx, Brooklyn and Queens will be permitted to transfer next month to other schools where there is a better ethnic balance and where space is available.

A similar policy will be instituted in the elementary schools in September, 1961.

Dr. John J. Theobald, superintendent of schools, said the new policy would apply to all students, regardless of race, whose parents requested the transfers. This meant that white students, as well as the Negro and Puerto Rican pupils the policy change is intended to help, would be free to transfer elsewhere.

### Dunn, N. C.

DUNN, N. C. — Seven Indian children showed up at the town's all - white high school and staged a classroom sit-in. The students have been denied admission to the all-white school and have protested a daily 70-mile round trip to segregated schools in the area.

**The father of one of the Indian students and the brother of another were arrested at the scene. They were released under $100 bonds.**

### Philadelphia

PHILADELPHIA — The United States third Circuit Court of Appeals stood last week, as Nash- month requiring faster integration of Delaware's public schools.

### In Nashville

Twelve Negro students in higher grades attempted to register at suburban white One hundred and fifty-Negro children enrolled predominantly white last week on its decision of last began the fourth year of - a - year desegre- plan.

officials said the figarly four times as large year, may grow larger registrations come in.

### Knoxville

KNOXVILLE — No Negroes registered in Knox county school in the Bearden com-white schools last week as the munity, but were refused. school board's sudden move to desegregate the first grade caught them by surprise.

Miss Mildred Doyle, county school superintendent, said any attempt to register later on, their cases "will be dealt with at that time."

The Knox county desegregation decision was the first to be taken in Tennessee without its grade - seven Negro the threat of a lawsuit, except for the federally operated Oak- schools last ure, nearly four as last year, as late

## St. Louis

ST. LOUIS — The eighth federal Circuit Court of Appeals held last week that the rural Dollarway, Ark., school district has not made a reasonable start toward desegregation of its schools.

The court found the school district, just outside Pine Bluff, Ark., has applied the Arkansas pupil assignment law illegally.

## Little Rock

LITTLE ROCK — The Little Rock School District last week filed a $4,119.34 lawsuit against E. A. Lauderdale Sr., John Taylor Coggins and Samuel Gradon Beavers for alleged damages to the school administration building in the September 7, 1959, dynamiting of the building.

The suit said the three defendants conspired to dynamite the buildings and that Lauderdale furnished the dynamite to J. D. Sims who actually set off the explosion.

## Darlington, S. C.

DARLINGTON, S. C.—Four young Negroes bearing anti-segregation placards were arrested as schools opened last week on their traditional segregated pattern but with indications that an integration attempt might be made.

# School Integration Continues At Snail's Pace In Deep South

ATLANTA, Georgia (ANP) — From New York to New Orleans, the implementation of the six year old Supreme Court order to integrate segregated schools went forward last week at snail's pace in the face of stubborn southern resistance.

Up North in New York City where there are no segregated schools by law, the school board was striving to perfect integration which has been thwarted by segregated residential patterns.

Down South in New Orleans where the people are mixed but the schools aren't, the Supreme Court, in effect approved a two month delay for the beginning of integration.

And in North Carolina, American Indians were using sit-down techniques used successfully by Negroes, to gain admittance to a white high school.

HERE'S INTEGRATION ROUNDUP

Here is a round up of integration developments during the week.

WASHINGTON - The Supreme Court last week refused to stop the scheduled integration of public school systems in New Orleans, La. and Houston, Tex.

The action cleared the way for the integration of the first grade in the two cities beginning this fall.

At the same time, the Supreme Court backed a district court order, issued earlier which postponed the start of integrated classes from Sept. 6 until Nov. 14 in New Orleans.

NEW YORK - The New York City Board of Education has made a major departure from its previous school integration policies.

PUPILS "PERMITTED TO TRANSFER"

The board announced that pupils in 21 largely segregated junior high schools in Manhattan, the Bronx, Brooklyn and Queens will be permitted to transfer next month to other schools where there is a better ethnic balance and where space is available.

A similar policy will be instituted in the elementary schools in September, 1961.

DUNN, N. C. - Seven Indian children showed up at the town's all-white high school and staged a classroom sit-in. The students have been denied admission to the all-white school and have protested a daily 70-mile round trip to segregated schools in the area.

The father of the Indian students and the brother of another were arrested at the scene. They were released under $100 bonds. Tuesday, two Indian students went to the same school and were accepted without incident.

KNOXVILLE - No Negroes registered in Knox county white schools last week as the school board's sudden move to desegregate the first grade caught them by surprise.

Miss Mildred Doyle, county school superintendent, said if any attempt to register later on, their cases "will be dealt with at that time."

The Knox county desegregation decision was the first to be taken in Tennessee without the threat of a lawsuit, except for the federally operated Oak Ridge schools.

157 IN NASHVILLE, Tenn.

One hundred and fifty-seven Negro children enrolled in 10 predominantly white schools last week, as Nashville began the fourth year of its grade-a-year desegregation plan.

School officials said the figure, nearly four times as large as last year, may grow larger as late registrations come in.

PHILADELPHIA - The United States third Circuit Court of Appeals last week on its decision of last month requiring faster integration of Delaware's public schools.

ST. LOUIS - The 8th federal Circuit Court of Appeals held last week that the rural Dollarway, Ark., school district has not made a reasonable start toward desegregation of its schools.

The court found the school district, just outside Pine Bluff, Ark., has applied the Arkansas pupil assignment law illegally.

"LITTLE ROCK, OF COURSE"

LITTLE ROCK - The Little Rock School District last week filed a $4,119.34 lawsuit against E. A. Lauderdale, Sr., John Taylor Coggins and Samuel Grayden Beavers for alleged damages to the school administration building in the September 7, 1959, dynamiting of the building.

The suit said the three defendants conspired to dynamite the buildings and that Lauderdale furnished the dynamite to J. D. Sims who actually set off the explosion.

DARLINGTON, S. C. - Four young Negroes bearing anti-segregation placards were arrested as schools opened last week on their traditional segregated pattern but with indications that an integration attempt might be made.

# Integration Speeded by High Court

## Delay Denied On 3 Appeals

*By The Associated Press*

WASHINGTON, Sept. 1.—The Supreme Court today rejected pleas for delay in public school desegregation in Houston, Tex., and New Orleans.

At the same time the court refused to hold up effectiveness of a lower court order requiring faster integration of Delaware's public schools.

It also denied a plea by attorneys for the National Association for the Advancement of Colored People in the New Orleans case that integration begin there with the start of the school year on Sept. 8 instead of Nov. 14.

All nine of the court's justices participated in the actions, which were taken behind the closed doors of its conference room. Justice William O. Douglas is in the West on vacation, but the court announced that he participated in the action by telephone.

The Houston school board is under order to integrate first-grade classes when school opens Sept. 7. Federal Judge Ben C. Connally issued the Houston order. The school district had asked the court to hold up its effectiveness pending the outcome of an appeal to the United States 5th Circuit Court of Appeals in New Orleans.

Federal Judge J. Skelly Wright, who had ordered the New Orleans first grade integrated with the beginning of the next school term, on Tuesday granted the school board a delay until Nov. 14. Judge Wright acted on the plea of the school board that it was impossible to implement his May 16 desegregation order after Gov. Jimmie Davis seized control of the school system Aug. 17.

A three-judge Federal court last Saturday returned control of the New Orleans schools to the school board and ordered the Governor and Attorney General Jack Gremillion to keep hands off. Gov. Davis, through Mr. Gremillion, asked the Supreme Court to stay the order of the three-judge court.

Delaware has asked the high court to delay effectiveness, pending a formal appeal, of a July 19 ruling of the 3d Circuit Court of Appeals in Philadelphia that Delaware's grade-a-year integration plan was too slow. The lower court ordered that a modified plan be prepared for full integration of all grades by the fall of 1961. The Philadelphia appellate court on Monday reaffirmed its earlier judgment and Delaware then carried the case to the highest court.

The Houston school board, in asking a delay, contended the lower court's plan did not give adequate time for solving various problems incident to integration of the first grade. And, the board said, it stands to lose $6,000,000 a year in school funds under a state law forbidding integration unless voters approve it.

In asking a stay of the ruling in the New Orleans case, Mr. Gremillion, on Gov. Davis' behalf, contended the Governor's seizure of the New Orleans school system in an effort to avoid integration was mandatory under state law. Furthermore, he argued, it was impossible to put into effect the integration plan set forth in the lower court's order.

The three-judge court which took the New Orleans schools from Gov. Davis' control and returned them to the school board, held that state laws under which the Governor acted were unconstitutional, including one authorizing the closing of schools in the event of desegregation.

**More 'Under Protest'**

Houston, Tex., Sept. 1 (UPI). —Dr. Henry A. Petersen, president of the Houston School Board, said today that Houston's public schools will be integrated next week, as Federal courts have ordered, but "under protest and duress."

A total of seven Negroes have tried to register in the first grade in Houston's schools—three yesterday and four today. They were all sent away because they failed to meet school board requirements for registrtion. But final decisions on whether to admit two were postponed apparently for the Supreme Court ruling.

**New Orleans Pleased**

NEW ORLEANS, Sept. 1 (UPI).—Orleans Parish school board chairman Lloyd Rittiner, pleased by the Supreme Court confirmation of a sixty-five-day delay in school integration, said today the board will be able to "work out some kind of plan" for integration Nov. 14. He said the board would wait and see how many Negroes want to register for first-grade classes.

The People Speak—

The Birmingham Post Herald

# Many Southerners Favor Token Integration

Birmingham

BY SAMUEL LUBELL

The past year has brought a significant shift in the attitudes of many Southerners toward school desegregation.

Dec 28 1960

At least in some of the larger Southern cities the mood of last-ditch defiance of the Supreme Court is giving way to a reluctant, readiness to accept some degree of mixing of Negro and white school children.

Throughout the South the school conflict is moving to a showdown choice of either that, or closing the public schools. Two out of three persons interviewed in 10 Southern cities thought it was "better to keep the schools open even with a few Negroes in them."

Heard

In a 1958 survey I did in many of these same cities, only one-fourth of the people favored such a move.

**Five To One**

Significantly, token integration draws its greatest support in communities where public schools were closed and private schools were tried and abandoned. In Norfolk and Little Rock the proportion wanting public schools kept open ran five to one.

This change of feeling in Rock seems to have been caused primarily by the realization, as several residents voiced it, that "closing the schools was hurting the children" and "we couldn't maintain a private school system forever."

One woman who rang doorbells to get signatures for a petition to reopen the schools was a divorcee who lost custody of her son when she couldn't give him schooling.

A man recalled: "we sent our boy to his grandparents in another state but my wife missed him so much she was crying all the time."

**Recent Bombing**

Another indication of the changed temper in Little Rock was the reaction to the recent bombing of the home of one of the Negro children attending Central High School.

Two Negroes have been arrested for the bombing but at the time of my interviewing who was responsible was still a mystery. Not even ardent segregationists defended the bombing. Typical of most of the comments to me were such remarks as "it's deplorable," or "if they find out who did it they'll ride him out of town on a rail."

Perhaps the best evidence of easing tensions may be the fact that some Little Rock residents are finding humor in the situation. Asked how the school thing is going, a tailor replied jovially, "we're having no more trouble. There's a joke going around that this year's senior class is going to put out two yearbooks. One will be called "who's who' and the other 'who dat.' "

In other Southern cities, which have not gone through the ordeal of closed public schools, more opposition is voiced to even token integration.

**Strong Opposition**

This opposition seems strongest among people who are elderly or retired; and among lower income workers. In worker neighborhoods protests against desegregation often merge with fear of economic competition. "Let them stay in their own schools," protested a tobacco worker in Richmond, Va., "I don't want a Negro foreman over me."

Some segregationists swear that if there is any integration "we'll take our kids out of school and teach 'em ourselves as well as we can." Others vow, "I'd scrub floors to send my girl to private school." In Atlanta one elderly man volunteered "I'd give $10 out of my pension to help poor people keep their children in private schools."

But for many other workers the price of closing the public schools looms much too high.

"I'd like to send my boy to a private school," said an Atlanta utility mechanic, "but all the savings I have is a life insurance policy. If I use that now we won't have anything left for the boy's college."

**NEXT: The Black Belt against the cities.**

# South Awaits Georgia's Decision On Integration

The Montgomery Advertiser, Montgomery, Ala.

Sat. 12/11/60

By THE ASSOCIATED PRESS

The eyes of the South will be trained on Georgia next January when the legislature has to decide whether to alter its segregation laws or face closure of the public schools.

Federal Judge Frank Hooper has given the legislature "one last chance" to approve a pupil placement plan submitted by the Atlanta board of education. Hooper has ordered the plan be put into effect for the 1961 school year applying to the 11th and 12th grades.

Georgia law provides that state funds will be cut off to any school district which mixes white and Negro children in classrooms. Another act empowers the governor to close only the integrated school and the school from which the integrating students come.

School closing laws vary widely among Southern states.

Here is a summary of such laws:

**NORTH CAROLINA** — Local school boards, county or city, assign students. If integration occurs, parents have three choices: 1. Accept it. 2. Request state funds to send their children to private schools. 3. Hold an election within the school district on whether to operate the school on an integrated basis, or close it.

**SOUTH CAROLINA**—State funds will be cut off to any school ordered to integrate and to the school from which the integrating student comes. No elections are required and the closing would not affect any other schools. There is a long process of appeal required of any pupil seeking transfer before he can seek remedy in federal courts.

**FLORIDA** — The only school-closing statute would shut down automatically any school if federal troops were sent there. The governor also has extraordinary police power to close any public facility in case of violence. However, this police power is of long standing and not designed specifically as a segregation measure.

**LOUISIANA** — The governor is authorized to order closed any individual school forced by federal court orders to integrate, once the court sets a specific date. The governor also is empowered to reopen that school within a reasonable time, under police powers of the state, as a segregated school.

**VIRGINIA**—There are no state laws requiring closure of schools in event of integration. The state constitution does not require a locality to operate public schools. This is how Prince Edward County was allowed to close its public schools entirely, simply by declining to appropriate local funds for schools. No election was required.

**MISSISSIPPI**—The constitution authorizes the legislature to close any or all schools for any reason. State law authorizes the governor and school boards to close any schools.

**ALABAMA**—Local school boards are authorized to close schools if violence or disorder threatens. No election is required, but the board must have a public hearing. Another law allows parents of schools threatened with integration to withdraw from the city or county school board and form an independent district. This must have the approval of voters in a special referendum. No law specifically empowers the governor to close schools, but Gov. John Patterson has said repeatedly he will do it if necessary to prevent integration. He has never said how.

...ghts Commission Is Told

# After Desegration, Integration Is Years Away

By BILL RAWLINS

GATLINBURG, Tenn. (AP) — A school can end racial segregation overnight. But it will take years to bring about racial integration—in which Negroes are accepted and able to compete on even terms with white pupils.

This was the consensus of educators who appeared before the Civil Rights Commission during a two-day fact-finding conference on problems confronting schools with mixed classes of Negroes and whites.

George R. Miller, state superintendent of schools in Delaware, put it this way: "If the matter of desegregation is completed, the matter of integration is just beginning. It is a problem of acceptance among one's fellows, with human dignity."

Dr. C. Taylor Whittier Montgomery County, Md., school superintendent, drew laughter from both Negro and white educators by observing, "We have not yet figured out how to run a cosmotology class on an integrated basis." Cosmotology is the use of cosmetics.

Basically, the conference touched these general areas:

1. Educational standards. Most educators appearing before the commission said Negroes' scholastic attainment lags behind that of white students—primarily because of cultural differences and the quality of segregated Negro education. It was suggested that there be wider use of educational television, grouping of students according to ability, and biraclia committees to help work out local problems.

2. Negro teachers. In the Baltimore and Kansas City areas, Negro teachers have been absorbed in integrated schools, but in most other areas Negro teachers lost their jobs when schools become desegregated.

3. Desegregation as a policy but segregation as a fact. Virtually all school administrators said that even where integration is general, white and Negro students tend to stay to themselves on playgrounds and at school functions.

Dr. John A. Hannah, the commission chairman, summed up the commission attitude: "The problem of civil rights of minority groups—all minority groups—is one which should seriously concern all Americans. The best solution in each community is that solution worked out by the people in that community."

## School Closing Issue

# Eyes Of South Are On Georgia

ATLANTA (AP) — The eyes of the South will be trained on Georgia next January when the legislature has to decide whether to alter its segregation laws or face closure of the public schools.

Federal Judge Frank Hooper has given the legislature "one last chance" to approve a pupil placement plan submitted by the Atlanta Board of Education. Judge Hooper has ordered the plan be put into effect for the 1961 school year applying to the 11th and 12th grades.

Georgia law provides that state funds will be cut off to any school district which mixes white and Negro children in classrooms. Another act empowers the governor to close only the integrated school and the school from which the integrating students come.

School closing laws vary widely among Southern states.

Here is a summary of such laws:

North Carolina — Local school boards, county or city, assign students. If integration occurs, parents have three choices: 1, accept it. 2, Request state funds to send their children to private schools. 3, Hold an election within the school district on whether to operate the school on an integrated basis, or close it.

South Carolina — State funds will be cut off to any school ordered to integrate and to the school from which the integrating student comes. No elections are required and the closing would not affect any other schools. There is a long process of appeal required of any pupil seeking transfer before he can seek remedy in federal courts.

Florida — The only school-closing statute would shut down automatically any school if federal troops were sent there. The governor also has extraordinary police power to close any public facility in case of violence. However, this police power is of long standing and not designed specifically as a segregation measure.

Louisiana—The governor is authorized to order closed any individual school forced by federal court orders to integrate, once the court sets a specific date. The governor also is empowered to reopen that school within a reasonable time, under police powers of the state, as a segregated school.

Virginia — There are no state laws requiring closure of schools in event of integration. The state constitution does not require a locality to operate public schools. This is how Prince Edward County was allowed to close its public schools entirely, simply by declining to appropriate local funds for schools. No election was required.

Mississippi — The constitution authorizes the legislature to close any or all schools for any reason. State law authorizes the governor and school boards to close any schools.

Alabama — Local school boards are authorized to close schools if violence or disorder threatens. No election is required, but the board must have a public hearing. Another law allows parents of schools threatened with integration to withdraw from the city or county school board and form an independent district. This must have the approval of voters in a special referendum. No law specifically empowers the governor to close schools, but Gov. John Patterson has said repeatedly he will do it if necessary to prevent integration. He has never said how.

Beiman on business—

# Integration fight very expensive

BY IRVING BEIMAN, News business editor

The terrible cost of the school integration fight on a community's industrial growth is pointed up in the July-August issue of The Harvard Business Review.

An article on public education in the South relates that over the years 1950-57, an average of five new plants a year came to Little Rock, Ark., ranging in value from $100,000 to more than $3 million.

In 1957, before the outbreak of violence in September that year, eight new plants had been installed.

BEIMAN

But since then, no new plants at all have come to Little Rock.

The head of Little Rock Industrial Development Corp. spelled out what has happened. In his words:

"It's sort of an insidious thing. The principal damage comes about when you don't even know that it's happening to you. You just hear from the X Company that is on the prowl for a new plant location. You never hear from them. They are not going to write you and say 'We were going to look at Little Rock, but now we're not'."

THE BOARD'S FILES also have letters in evidence thereof. One letter reads:

**"As you know from our previous discussions, certain key employes' reluctance to leave the ——— area made it almost impossible to move. The wives of these employes played a prominent part in their decisions not to move to Little Rock. The adverse publicity given your area on the 'school issue' was certainly no help to our cause."**

Another prospective industry

"You may dismiss ——— from consideration. Our contacts with Arkansas have given us an unfavorable opinion of that state in comparison with Tennessee, Mississippi or Missouri. We have no desire to be involved in the segregation problems current in that state."

# REPORT FROM THE NATION: SCHOOL DESEGREGATION

*The following reports are from three parts of the South where the continuing struggle over school integration was in the news last week.*

## VIRGINIA MOVE

### Classes Are Mixed Without Federal Court Order

Special to The New York Times.

RICHMOND, Va., Aug. 20—Virginia moved another step along the path of its limited school integration course this week with the assignment for the first time of Negro pupils to white schools in Richmond and Roanoke. The action by the State Pupil Placement Board came as part of a third phase of Virginia's racial policy for schools.

The first phase was massive resistance, aimed at delaying any integration as long as possible. That policy ended when Federal court orders by-passed the three-member state board and made the first assignments of Negro pupils to white schools effective in February, 1959.

**Second Phase**

The second phase, that of transition, came when Gov. J. Lindsay Almond's view that Virginia must retain public education prevailed by a one-vote margin over massive resistors in the state legislature. The result was a "freedom of choice" law effective last March 1, permitting localities to make their own assignments under state rules. The rules never have been issued.

The "freedom of choice" program, aimed at not forcing a single Virginia pupil to attend a mixed school against his will, continued state-local tuition grants to a $250 annual maximum for pupils attending private non-sectarian schools or a public school in another distrust whether integration was involved or not. It also permitted local authorities to withhold school operating funds.

In this phase 103 Negroes attended predominantly white schools, all under Federal Court orders. At the same time tuition grants totaling $776,984 were paid to 4,020 pupils in seventy-nine localities. Under this program, too, southern Virginia's Prince Edward County, where Negro pupils narrowly outnumbered white, closed its public schools when a Federal Court ordered integration. Whites are operating private schools for their children in temporary buildings and planning some permanent ones. Negroes are not attending school at all.

The third phase, called by some "containment," came with the appointment a month ago of a new pupil placement board to succeed one that resigned after protesting the change from massive resistance to local option.

**Third Phase**

Whereas the previous board never had voluntarily assigned a Negro pupil to a white school, the new board has assigned forty Negro pupils to white or predominantly white schools in six localities, without Federal orders. The board studied each case, accepted such criteria as proximity to school, academic standing and emotional stability, and, if it found no reason for rejection other than race, assigned the pupil.

This week, for example, the board approved twenty-four of ninety Negro applicants for transfer, including two of four in Richmond and nine of thirty-nine in Roanoke. In neither case was court action pending.

As a result of these and earlier assignments and of Federal court orders, some 150 Negro pupils will attend integrated public schools in ten Virginia localities when the new term begins next month.

Negro leaders and sympathetic whites are still dissatisfied with the token integration. Dr. J. Rupert Picott, executive secretary of the Virginia Teachers Association, a Negro organization, said, "The pace has been slow, very slow. * * * Fortunately we seem now to be on the threshold of a new thrust in school desegregation in Virginia. * * * The main reason for some optimism rests on the dynamic new thinking resulting from the students' sit-down program."

## TEXAN DILEMMA

### Two Cities Caught Between State Law and Courts

Special to The New York Times.

HOUSTON, Aug. 20—Texas's two largest school districts are in a situation a Texan would describe as "between a rock and a hard place."

The Houston and Dallas school districts are under Federal court orders to end segregation. Since residents of both districts have voted overwhelmingly against school integration, under Texas law both districts face the loss of millions of dollars in state aid when classes are integrated. In addition, they will lose their accreditation by the state education agency. Officials of the districts could also be fined.

Federal Judge Ben C. Connally has ordered Houston to begin integration next month when the schools reopen. He has ordered the district to integrate one grade a year, starting with the first grade, until full integration is completed in 1971. Dallas is under order to integrate in September, 1961.

Trustees of the Houston district have appealed Judge Connally's ruling. Meanwhile, they will attempt to find a way for the district to continue receiving some $6,000,000 a year in state aid, and to keep state accreditation, even if the integration plan is ultimately put into effect.

The state Board of Education is expected to ask state Attorney General Will Wilson for a ruling on whether a district forced by court order to integrate against its will can in fact be deprived of state aid. Two Federal judges in Texas have expressed a belief that the state's anti-integration laws are invalid. If Mr. Wilson's ruling is not in Houston's favor, the Houston board may challenge the state laws in the courts.

The Dallas system is committed to a "salt and pepper" integration program. Selected schools would be integrated and pupils' attendance would be on a voluntary basis. This program has been approved by Federal District Judge T. Whitfield Davis of Dallas.

The general statewide picture has also been "salt and pepper" since the United States Supreme Court ruled school segregation unconstitutional in 1954. School districts in El Paso and Big Spring in West Texas, where the Negro population is small, integrated in 1955, along with San Antonio. Corpus Christi in South Texas has integrated schools, as do Waco and Austin, the state capital, in Central Texas.

The strongest opposition to school integration is in East Texas and along the upper Gulf Coast, where the bulk of the state's Negro population is.

In Houston, classes at the University of Texas dental branch have been conducted on an integrated basis. The university's medical branch at Galveston has also had Negro students.

Baldy in The Atlanta Constitution

"First we closed our schools, then one thing led to another!"

## LOUISIANA DELAY

### Governor Takes Control of New Orleans Schools

Special to The New York Times.

BATON ROUGE, La., Aug. 20—The question of the hour in Louisiana is whether New Orleans public schools will open on schedule the Monday after Labor Day on a segregated basis.

Schools in New Orleans, the state's largest city, are under Federal court order to begin integration of the first grade this year. During the week, Gov. James H. Davis, acting under a 1960 law, took over control of the Orleans Parish (county) public schools in his "sovereign capacity."

The Governor, after dodging a United States marshal seeking to serve him with court papers in suits designed to prevent his closing the schools, says that the schools will be open and segregated. He insists that this will be accomplished, but is silent on details of his plan.

On the other hand, leaders for integration and some members of the Orleans Parish School Board, now apparently without portfolio, are equally certain that the Governor will not succeed.

There is a question, too, as to whether the Governor's action in assuming control of the schools is interposition—that is the interposing of state authority between the Federal Government and the schools. Attorney-General Jack P. F. Gremillion says flatly that the action is not interposition or even a step necessary to interposition. He says the action is merely an attempt to "let Louisiana run its schools as it sees fit."

**State Pattern**

The New Orleans situation is generally agreed to be the one which will set the pattern for the entire state. It is the largest school system in the state, with an enrollment of 50,000 Negroes and 40,000 white students. Desegregation suits have been brought in East Baton Rouge and St. Helena Parishes (counties) but final decisions have not yet been reached.

The act under which Governor Davis assumes control of the schools sets up a system of classifying schools as to race and reserves that power of the legislature alone. A companion measure authorizes the Governor to close all schools in the state in the event of integration. Other laws enacted by the 1960 Legislature deprive integrated schools of state funds and supplies and provide for transferring shool property to private corporations in the event the schools are closed.

Meanwhile, the Federal District Attorney in New Orleans has been quoted as saying that the Federal Government is prepared to use force if necessary to integrate the schools in accordance with the court order.

# NEGRO SCHOOL INTEGRATION SCENE QUIET

## Houston Bid to Stall Mixing Fails

By UNITED PRESS INTERNATIONAL

Token school integration started without incident Tuesday in Richmond, Va., former capital of the Confederacy. A similar calm prevailed across the rest of the south on the traditional post-Labor day beginning of school.

The Houston, Tex., school system, however, lost another round of its desperate last minutes battle to avoid integration ordered for Wednesday by a federal judge. The 5th Circuit Court of Appeals in New Orleans refused to act on the Houston school board's delay request, in effect leaving the integration order standing.

### Seek Meeting With Judge

Houston board attorneys immediately set to work, presumably to attempt to set up an emergency meeting with the federal judge who ordered the integration action.

The Raleigh, N. C., school board assigned a Negro pupil to 2d grade classes in an all-white school in the first integration order involving the North Carolina capital.

Richmond was but one of three Virginia cities where racial barriers were lowered for the first time. Roanoke, western Virginia's largest city, and Pulaski, in the southwestern part of the state, also took the first step toward integration of their schools.

### Others Continue Mixing

Three other Virginia cities, Norfolk, Charlottesville, and Alexandria, and schools in Tennessee pressed ahead with integration started in previous years.

Dade [Miami] county, Fla., began its second year of token integration. Four of the county's 185 schools which opened Tuesday were integrated.

Twelve Negroes started classes at two high schools in Little Rock, Ark., scene of a bitter integration struggle three years ago, and at least 157 Negro children turned out for classes at 10 Nashville, Tenn., schools. Nashville pioneered the grade-a-year integration plan which has been widely copied.

### Indians Sit-in Again

Dunn, N. C., was the lone trouble spot. Two Indian girls staged classroom sit-ins at Dunn's all-white high school to back up demands for an Indian school closer to home. The two are among a group of about 75 Indian children who must make a 70 mile daily round trip by school bus to attend the nearest Indian school. The others have agreed to continuing making the trip until a school which county officials promlast week can be built.

The peaceful start of the new school year was in sharp cocntrasts to other autumns since the Supreme court handed down its 1954 decision outlawing compulsory segregation in public schools.

### Scenes of Trouble

The most dramatic trouble occurred in 1957 in Little Rock which paratroopers were sent to Central High school to put down integration violence.

The Hattie Cotton school in Nashville, Tenn., was blown up by extermists when the state's stairstep desegregation plan was started in the first grade in the fall of 1957.

In 1956, trouble broke out at Clinton, Tenn., with John Kasper whipping up tension against integration of the local high school. The national guard was called out to stop the violence there.

Spotty violence also has occurred in the last few years in North Carolina, Virginia, Texas, and elsewhere in Arkansas.

### District Major Example

# Pupils Gain Under Desegregation

By Erwin Knoll
Staff Reporter

THE BIG NEWS in school desegregation this fall is what didn't happen. For the first time since the Supreme Court's 1954 desegregation decision, schools opened without violence in the South. There were no boycotts, no mobs, no bombings.

Seventeen school systems opened formerly all-white schools to Negro pupils last month, according to a Southern School News survey, bringing the total of desegregated districts to 768 of the 2834 Southern school systems with biracial enrollments.

Of 13 million white and Negro children in the public schools of Southern and border states, some 3.5 million are now in school districts with some desegregation. About 185,000 Negro youngsters actually are in classes with white pupils.

It is noteworthy that Negro students in the Washington public schools amount to 40 per cent of that last total. In this seventh year of desegregation, the District continues to be the major example of full compliance with the Supreme Court decree.

WASHINGTON school officials, who moved with more than "deliberate speed" to bring about desegregation in 1954, are beginning to see their efforts rewarded by Nation-wide recognition. Increasingly, the District schools are cited in discussions of effective and imaginative public education.

The shortcomings and inadequacies which are well known to Washingtonians who care about their schools, and which figured prominently in budget testimony before the Commissioners last week, are overshadowed in these discussions by the remarkable gains scored by pupils in the last six years.

**With almost missionary zeal, School Superintendent Carl F. Hansen has been telling his fellow educators about these gains and about the Capital's experience with desegregated schools. His report on "Six Years of Integration in the District of Columbia" has just been published by the Teachers College Record of Columbia University, and his detailed analysis of the scholastic performance of white and Negro pupils appeared last summer in the Harvard Educational Review.**

"Instead of disrupting the course of learning, it is now apparent to us that the reorganization of the Washington school system in 1954 provided the opportunity and incentive for a re-evaluation and redesigning that have greatly increased the variety and quality of its service," Hansen says.

HE TELLS of the situation before the fall of 1954—of two separate school divisions with separate staffs and separate planning and separate policy; of overburdened facilities and inferior services in the Negro division; of resultant educational lags among Negro pupils which were carefully swept under the community carpet.

**He tells of the rude awakening after desegregation, when city-wide standardized testing forcefully brought these lags to public notice; of the improvements brought about when white and Negro individual and organizations joined in efforts to obtain better support for the schools; of the reductions in class sizes and the increases in specialized staff and the improvement in facilities.**

He tells of the standardized test results which have shown steady gains of months and years in pupil achievement at each grade level, so that District median scores now approach, though they do not quite attain, national norms.

HANSEN does not suggest that no problems remain, but he declares that "the center of effort is now on the simple yet complex business of educating children as they enter the classrooms of this great city."

He makes three central claims for the District's desegregated schools:

- That white and Negro pupils "have, on the whole, enjoyed educational conditions and opportunities during the past five years which are superior to those available under the previous policy of racial segregation."
- That Negro pupils "have, on the whole, performed somewhat better during the past five years, in terms of objectively measured scholastic achievement, than did such pupils during a similar period immediately preceding the abolition of racial segregation in the schools."

HANSEN'S data make his case.

"In a sense," he says, "it makes little difference whether desirable changes in the growth of D. C. pupils can be attributed primarily to desegregation of the races; the important thing is that under a plan of racial desegregation the school system, instead of retrogressing, has evidently been able to do a better job than it previously did in providing conditions which facilitate the optimum educational development of all pupils."

# Schools Open Integrated In South For First Time This Year Without Violence

New York, N. Y. — Following the opening of the 1960-61 school term last week in most of the southern and border states, significant legal progress in public school desegregation is reported in several quarters.

With an estimated 767 school districts in 12 states opening with some degree of integration, it is the first time since the 1954 Supreme Court decision outlawing segregation in southern schools opened without a single reported incident of violence.

It is reported that 14 new districts in seven southern states enrolled Negro children in white elementary schools for the first time. This does not include Houston, Texas, which has the largest school system in the country, and where several Negro children were enrolled for the first time.

All districts remained segregated in Alabama, Georgia, Louisiana, Mississippi and South Carolina.

Thurgood Marshall, Director-Counsel of the NAACP Legal Defense and Educational Fund, pointed out that the highlight of this year's legal victories in significant because it indicates that a point arrived at which litigating must stop and bona fide desegregation must commence. The law is clear that the courts will not ountenance litigation merely for the sake of delay."

The ruling in the Houston case is of particular significance, Mr. Marshall explained. Until the time of the decision Houston was the largest segregated district in the country. The Court rejected a plan presented by the Houston Board as a "sham" and "palpable fraud", ruling that where school boards do not present plans courts will institute desegregation plans of their own and demand compliance with the Constitution.

The New Orleans case came before the Supreme Court as a result of an order by the United States District Court to put into effect a year-by-year stair-step integration plan in September, starting with the first grade. The school authorities appealed the order, but a United States appeals court refused to interfere. Upon request, the District Court gave the school board until November 14 to effectuate the plan.

The State Attorney General then asked the United States Supreme Court permission to put off integration. Legal Defense attorneys for the Negro children also petitioned the Supreme Court. They asked that the November stay order be vacated and that integration begin immediately. The Court refused to postpone desegregation beyond the November 14 date set by the District Court.

In Delaware the Court of Appeals reversed a District Court ruling which gave all of the school districts south of Wilmington 12 years to desegregate and demanded that complete desegregation be in effect by 1961. The Court also ordered that the named plaintiffs in the case be admitted immediately. The State Board asked the United States Supreme Court for a postponement of these orders, which was denied.

# Report Sees Integration As Politically Inevitable

*Special to the Herald Tribune*

ATLANTA, Aug. 20. — The South's school segregation problem has been altered by "the revolt of Negro youth and the decline of Southern influence within national politics," the Southern Regional Council, a bi-racial organization seeking equal opportunity for all Southerners, declared in a report for release tomorrow.

Discussing prospects for desegregation in the coming school year, the council observed that the "massive resistance" concept adopted by Southern whites has bred "massive determination" in Negroes. No matter which political party wins in November, the council predicted, "the strength of the national government will be increasingly, and decisively, applied against racial discrimination."

### 50 Cases on Docket

The council said nearly fifty desegregation cases are on Federal court dockets in the South, and it discussed five areas in which desegregation seems imminent.

The controversy in New Orleans, which faces a court order to desegregate this September presents the "danger of riots and violence," the council said It said of the situation there:

"The Deep South at last faces the demand that it comply with the law. When desegregation breaches the Deep South the myth of Southern ability to defy the law will have been fatally punctured; the consequence could be an emotional release in the upper South that would enable desegregation to move without the lash of law."

On the other hand, said the council, if New Orleans closes its schools or "treads the bitter path of Little Rock . . . the prospects will be gloomy for the South and for national self-respect."

The Dollarway District, near Pine Bluff, Ark., may be desegregated next month, the council said, and, "if so, the history of its conflict to date would suggest the possibility of another challenge to law and order."

In Houston, the council said, the desegregation movement has been characterized by "ingenious procrastination," while in Knoxville, Tenn., "community opinion does not seem particularly aroused, but is believed to be willing to accept desegregation in stride."

Florida was described as the state in which "the most varied and most demanding challenges of school desegregation are being carried out."

### Negro Students

The Negro student movement, which the council called "the most important development of 1960," was stimulated by "impatience over the pace of change, particularly in school desegregation," the council said. It added:

"If in the outcome the sit-in demonstrations may have brought more tension to the school controversy, there were other equally probable products. The resolve of Negro Southerners to push against the policies of calculated delay and minimal compliance was deepened; and a growing body of community leaders learned . . . that the region's racial conflicts begged for solution."

# Integration Roundup

(By United Press International)

Newly integrated public schools began the fall term quietly in parts of Tennessee and North Carolina this week. But there were delays in Louisiana, new court action promised in Virginia and Arkansas, and segregation protests in other parts of the South.

A federal judge at New Orleans granted a delay until Nov. 14 in the start of integration for the first grades of New Orleans schools. Registration began in Houston, Texas, where the first grades have been ordered to integrate. A U. S. Appeals Court ruled the integration plan for schools of the Dollarway, Ark., district does not go far enough.

Louisiana Gov. Jimmie Davis said he will appeal to the U. S. Supreme Court a ruling forbidding him from interfering with integration of the New Orleans system.

The Houston school board asked Gov. Price Daniel to interpose under the 10th amendment to avert integration in Houston. The U. S. Supreme Court has scheduled a hearing on another appeal by the school board for a stay in the integration order.

### IN CONTRAST

In contrast, the grade-a-year integration plan in Nashville, Tenn., began its fourth year quietly even though the 157 Negroes who registered to attend previously white schools was "far more" than school superintendent W. H. Oliver had expected. There were no demonstrations.

At Greensboro, N. C., a lone Ku Klux Klansman stood for an hour in front of Gillespie Park schools as Greensboro began its fourth year of integration. The Klansman, Clyde Webster, said he was "not coming back." Five Negroes began classes at Gillespie Park.

At Knoxville, Tenn., nine previously all-white elementary schools open to Negroes and officials estimated that about 100 Negroes will probably register. In surrounding Knox County which voluntarily integrated its first grades, no Negro first graders asked admission to white schools, but 13 older Negro children were turned away.

An integration suit was cancelled by Negro leaders because the county school board "showed good faith."

At Roanoke, a., a Negro lawyer said he will ask a federal injunction ordering admission of seven Negroes to all-white Clearbrook elementary school in Roanoke County.

Elsewhere, demonstrations, court orders and arrests continued.

# More Schools Are Integrated

## Welfare Secretary Cites Progress This Fall In Seven States

By The Associated Press

WASHINGTON, Sept. 22. — Secretary of Welfare Arthur Flemming said Thursday there has been some progress this fall in desegregation of Southern schools and described as "indefensible" the continued shutdown of 21 schools in Prince Edward County, Va.

The secretary said figures provided by the Southern Education Reporting Service show that 16 school districts in seven states have desegrated this fall.

"This means," Mr. Flemming told a news conference, "that 325 more Negro students have been admitted to formerly all-white schools in the states of Arkansas, Delaware, North Carolina, Oklahoma, Tennessee, Texas and Virginia."

### 100 In New Orleans

He noted that a recent Federal court order requires New Orleans schools to begin desegregation on Nov. 14, and estimated that about 100 Negro pupils will be admitted to the first grade of that city's all-white schools in November.

"I feel that it is gratifying that desegregation has been initiated this fall in the Houston public school system, which has been the largest segregated school system in the nation," Flemming said.

"It also is worthy of note that five more school districts in Virginia desegregated this fall—

# Schools Opened Without Violence for First Time Since 1954 Court Decision

New York, N. Y.—Following the opening of the 1960-61 school term last week in most of the southern and border states, significant legal progress in public school desegregation is reported in several quarters.

With an estimated 767 school districts in twelve states opening with some degree of integration, it is the first time since the 1954 Supreme Court decision outlawing segregation in public education that the southern schools opened without a single reported incident of violence.

### 14 New Districts

It is reported that 14 new districts in seven southern states enrolled Negro children in white elementary schools for the first time. This does not include Houston, Texas which has the largest segregated school system in the country, and where several Negro children were enrolled for the first time.

All districts remained segregated in Alabama, Georgia, Louisiana, Mississippi and South Carolina.

Thurgood Marshall, Director-Counsel of the N.A.A.C.P. Legal Defense and Educational Fund, pointed out that the highlight of this year's legal victories in the organization's continued efforts to speed up school desegregation was reflected in the refusal of the Supreme Court two weeks ago to grant delays requested in three separate cases to authorities in New Orleans, Houston and Delaware.

### Houston

The ruling in the Houston case is of particular significance, Mr. Marshall explained. Until the time of the decision Houston was the largest segregated district in the country. The Court rejected a plan presented by the Houston Board as a "sham" and "palpable fraud", ruling that where school boards do not present plans courts will institute desegregation plans of their own and demand compliance with the Constitution.

### New Orleans

The New Orleans case came before the Supreme Court as a result of an order by a United States District Court to put into effect a year-by-year stair-step integration plan in September, starting with the first grade. The school authorities appealed the order, but a United States Appeals Court refused to interfere. Upon request, the District Court gave the school board until Nov. 14 to effectuate the plan.

### November Deadline

The state Attorney General then asked the United States Supreme Court permission to put off integration. Legal Defense attorneys for the Negro children also petitioned the Supreme Court. They asked that the November stay order be vacated and that integration begin immediately. The Court refused to postpone desegregation beyond the Nov. 14 date set by the District Court.

### In Delaware

In Delaware the Court of Appeals reversed a District Court ruling which gave all of the school districts south of Wilmington twelve years to desegregate and demanded that complete desegregation be in effect by 1961. The Court also ordered that the named plaintiffs in the case be admitted immediately. The State Board asked the United States Supreme Court for a postponement of these orders, which was denied.

# Integration Is Planned This Fall At Eleven More Area Schools

By ALEX R. PRESTON
Star Staff Writer

Integration will be extended to at least 11 more schools in nearby Virginia and Maryland this fall.

Fairfax County is one of three counties and two cities in Virginia where racial barriers will fall for the first time. They will bring to 11 the total number of communities in the Old Dominion to desegregate, either under Federal court or by action of the State Pupil Placement Board.

The number of desegregated schools in Alexandria will rise from four to five and in Arlington from three to seven.

On the Maryland side, desegregation has been accomplished extensively in Montgomery and Prince Georges Counties since 1955.

In Prince Georges, there will be 25 desegregated schools this year, compared to 21 last year. In Montgomery, which has adopted a complete desegregation policy, school officials say the actual situation will not be known until after school opening.

Throughout Maryland, nine of the 23 counties are expected to keep their schools segregated, the State Department of Education said. These comprise most of Maryland's Eastern Shore and the Southern counties of Calvert and St. Marys, the Associated Press reported.

### Baltimore Desegregated

In Baltimore City and 13 of the counties, desegregation has taken place on a school-wide basis or in some grades. One county has no Negroes. In most of the school systems, Negroes can attend white schools if a request for transfer is made.

Two Negro pupils attended a white school in St. Marys County in 1958-9 but none did last term. No integrated classes are expected this year.

Besides Fairfax County in Virginia, desegregation will occur for the first time in Richmond and Roanoke and in Grayson and Pulaski Counties. There will be desegregated schools again in the cities of Charlottesville and Norfolk as well as Alexandria, and in the counties of Warren and Floyd, in addition to Arlington.

In the 11 school divisions where classroom mixing is continued or will commence, a total of 171 Negroes are involved in 30 schools. This compares with 103 Negro pupils in 19 schools last year.

These 171 Negroes will go to racially integrated classes with 28,768 white pupils. Total children attending integrated schools amounts to 3.29 per cent of the expected enrollment of 879,500 pupils throughout Virginia.

### Some Cases Pending

Several desegregation cases still are pending in Federal courts and rulings could be handed down to change the picture before the fall semester starts.

The newly constituted State Pupil Placement Board, for the first time since its creation in 1955, voluntarily assigned Negroes to white schools in Fairfax, Richmond and Roanoke.

Norfolk is the only area where there was desegregation last year which expects a decrease in the number of Negro children in white classes, dropping from 21 in seven schools to 18 in six schools.

Here is the Washington area situation at a glance:

**Fairfax**—Two formerly all-white elementary schools will be the first in the county to desegregate. Belvedere will receive two Negroes and Cedar Lane one.

The youngsters are the same three the county school board agreed to admit. The school board and the State Pupil Placement Board have refused applications of 23 other Negro students. Attorneys for the children denied admission said they probably will protest the board's desegregation plan in Federal Court September 8.

**Alexandria**—The city had 16 Negroes in four formerly white schools last year and the number will grow to 26 in five schools this year.

The schools involved and the changes are: William Ramsay, 6 last year and 7 this year; Hammond High, 3 and 6; Ficklin, 2 and 4; Minnie Howard, 5 and 8; Jefferson, none and 1.

**Arlington**—A total of 34 Negroes, 14 boys and 20 girls, will enter seven predominantly white schools, compared with 23 in three schools last year.

The assignments, by school, for this year are: Washington-Lee High School, 4 boys and 2 girls; Stratford Junior High, 7 boys and 13 girls; Patrick Henry, 2 girls; Thomas Jefferson Junior High, 2 boys; Henry Clay Elementary, 2 girls; Claremont Elementary, 1 girl, and Page Elementary, 1 boy. The last four schools will desegregate for the first time.

**Falls Church**—There will be no desegregation in the all-white three elementary schools and one high school. With no school for Negroes, children of that race are sent to Fairfax County schools.

**Prince Georges**—Of 103 elementary schools, 14 will desegregate. One, Fort Washington Forest, has been constructed since last year. Of the 31 secondary schools, 11 will desegregate. In the latter category are Francis Scott Key Junior High and Rollingcrest Junior High, both of which were segregated last year, and Du Val Senior High, built since last year.

A breakdown of enrollment by schools is not available but a total enrollment of 69,500 is expected, of which about 12 per cent are Negroes. The total represents an increase of 4,600 over last year.

**Montgomery**—Because of its policy of desegregating all schools in the county, school officials say they do not yet know the actual conditions that will exist. School officials expect a total enrollment this year of 80,654, of which 3,182 are Negroes.

Last year the total enrollment was 74,523, with 3,161 Negroes.

This year, 357 Negro secondary pupils will have to be transferred to the schools nearest them because of the closing of the county's last high school for Negroes—Carver High in Rockville.

The former Carver students will be transferred to Gaithersburg and Richard Montgomery High Schools.

School board officials say that from 80 to 90 per cent of the total Negro enrollment will be desegregated this year, an increase of about 20 per cent over the last school term.

# Houston ordered to mix schools

## IN A NUTSHELL

- Houston ordered to desegregate schools in September.
- Two petitions to cut red tape blocking entry to Alabama trade school.
- North Carolina Indians rebel against 73-mile-a-day school trek.
- Arkansas' placement law attacked on two fronts.
- Virginia integration picture mixed.
- Lutherans abandon jim crow.

HOUSTON, Texas — Calling a proposed desegregation plan here a "sham and subterfuge," Federal District Judge Ben C. Connally ordered the City of Houston to desegregate its school system in September saying:

"Beginning with the first grade, each student may, at his option, attend any former all-white or all-colored school within the geographical boundaries in which he may reside."

Houston is the largest segregated school district in the nation.

The city school board, under previous order, had submitted a desegregation plan in June. The plan would maintain segtregated schools generally but have one elementary, one junior high and one high school desegregated.

White pupils who might find themselves in the minority in either of these schools would have the privilege of transferring. Judge Connally's order will not apply to the two students on whose behalf the suit was first filed in 1956.

They are Delores Ross and Bessya D. Williams. Since the plan starts with the first grade this year and adds one grade higher each succeeding year, it never will catch up with them.

The judge specified that "nothing in this order shall be construed to prevent transfer of a student, at his request, or pursuant to reasonable transfer rules of school that race or color . . shall not be a consideration."

Speaking of the school board's plan for token integration, the judge said: "It does not constitute a good faith attempt at compliance, but is a palpable sham and subterfuge, designed only to accomplish further evasion and delay."

* * *

IN AN ATTEMPT to keep from being bogged down in exhaustive, discouraging Alabama processes, two colored pupils have asked the U.S. District Court for a declaratory judgement which would cut the red tape and get them admitted to the state vocational technical school in Mobile.

Ernest L. Koen and Frank E. Lee, both of Mobile, were parties to a suit last year to desegregate the trade school. H. Clay Knight, director of the Mobile school, said he gave them applications.

These applications, when filled, would be but the first step in an administrative maze designed by a state which is determined to keep segregation.

U.S. District Judge Daniel H. Thomas has set no date for hearing on the boy's petition to bypass the maze. Represented by Charles F Wilson of Pensacola, Fla. and Clarence E. Moses of Mobile, the petitioners complain that the state's segregation policy is unconstitutional.

They further request a speedy hearing of their injunction plea which would restrain school officials from closing the school to them. The action is a class suit—which, if successful, would affect not only the plaintiffs but all other colored citizens similarly situated.

* * *

IN NORTH CAROLINA, parents of 40 Indian students who have to travel 73 miles a day to school said they would present their children for registration at the all-white Harnett High School this fall.

Their decision came after the Harnett County School board postponed a decision on their request for entry into the local school. The Indians, related to the Robeson County Lumbees who routed the Ku Klux Klan, have been trying to get in the county high school for two years.

The state maintains a few schools for Indians in addition to the jim crow white and colored schools. These schools are few and far apart, but the Indians must attend them.

Eugene and James Chance, brothers who are leaders of the Indian petitioners, said hat not only is the nearest school too far away but it also offers few of the courses given in standard high schools.

"It has no foreign language, no library to speak of and no lunch room. All they reach are reading, arithmetic and spelling."

The board turned down all previous applications for transfer on grounds that they were improperly made or made too late.

TWO FORTHCOMING DECISIONS are expected to "make or break" the state pupil placement law enacted by Arkansas after the school desegregation decision.

In Little Rock, plaintiffs request U.. District Judge John E. Miller to order students admitted to schools nearest their homes — without recourse to the placement board and without regard to race.

In Dollarway, the Eighth U.S. Circuit Court will hear the appeal of colored students contesting the city school board's denial of transfer.

In both cities, there have been token evidences of desegregation. Little Rock assigned 13 colored students to previously all - white schools. The transfer applications of 74 others, however, were not approved.

Dollarway assigned three colored pupils to an elementary school.

Neither city, however, has established a pattern of nondiscriminatory school assignment.

Herscher H. Friday Jr., attorney for the state, is hopeful the two federal court rulings will uphold the placement procedure. He said:

"The federal courts have approved the placement law but now they must decide whether we are using it properly and in good faith with desegregation decisions.

"Both boards have proin good faith," he maintained, "We are anticipatig that the federal courts will approve their application of the placement laws.

* * *

THE NEXT TWO weeks may see desegregation in the capital of the "Old Dominion" —Richmond, Va. Observers believe that the state Pupil Placement Board will assign at least one colored pupil to Chandler Junior High School.

This would make Richmond the eighth city in the state to have desegregated schools. The Placement Board itself has been instrumental in some of the desegregation, having assigned three colored pupils in Fairfax County, one in Warren County and 12 in Arlington County.

Meeting in Hot Springs (Va.) the state Board of Education approved a plan which would give elementary school pupils $250 a year and high school pupils $275 for private school atendance.

Although the plan made no mention of race, it was interpreted as a way to subsidize private schools like the ones in Prince Edward County, which scrapped its public schools; and also pupils wishing to escape integrated schooling.

The board members admitted, however, that "no one knows about the legality" of the plan.

* * *

WHILE AT the Hot Springs meeting, the Virginia board learned how badly segregation affected the (all-white) Longwood State College. The college is located in Prince Edward County so there are no schools for students to get practice teaching.

Some will, this year, be sent to live in Roanoke, Danville, Appomatox, Cumberland, Buckingham, Charlotte and Amelia.

Front Royal authorities are seeking to get a Federal Court to dismiss a suit by 19 colored students seeking transfers from jim crow schools.

John F. Battle Jr. moved to dismiss on the ground that the pupils had not exhausted all administrative remedies and that the pupil placement board was not named a party to the suit.

Januar D. Bove, attorney general for the State of Delaware, wants the United States Circuit Court of Appeals to reconsider its order that the state desegregate its schools by September, 1961.

The order came July 19 when the state's grade-a-year desegregation plan was overturned. It was shown by Louis D. Reddick, attorney for the plaintiffs, that under this plan, the schools would not be completely desegregated until 1972.

* * *

IN NEW ORLEANS, the parish school board got a warning from an unexpected source — the state attorney general. This official, Jack Gremillion, has fought against school integration since he took office.

Last week, however, he warned the Orleans Parish school board that if it held a proposed meeting to discuss closing the schools, it could be held in contempt of a federal court order that the board could take no action toward reclassifying schools.

The schools were ordered to desegregate in September. The state contended that the board did not have the right under state law to "re-classify" schools.

Gremillion said "it would be as much beyond the school board's authority as planning for the integration of the schools.

"It appears," he continued, "that you may render yourself . . .either subject to contempt proceedings or further injunction proceedings if you persist in holding such a meeting."

The school board, saying it was not going to "fight" the attorney general, decided to hold the meeting anyhow.

Meeting in Milwaukee, the Lutheran Synodical Conference voted to close Emmanual Lutheran College Seminary at Greensboro for colored students.

A study commission reported that it "sees no justification for the continuation of a segregated college in view of the declining enrollment."

Colored students in Northampton County, N.C. protested a jim crow school arrangement yb staging a boycott last week. They protested against the practice of opening schools for colored children a month early, then closing them to release the children to the fields for harvest.

The schools attended by white pupils are run on a regular term. One school, at Old Gaston, reported that only five of an expected 200 pupils showed up.

E. D. Johnson, superintendent, said the school board planned no action.

# N. C. Sociologists Report On Integration

The News + Courier Charleston SC Sun 8-21-60

CHAPEL HILL, N.C. (AP) — People of Southern cities who feel they have a choice between integrating their schools and closing their schools are kidding themselves.

A trio of University of North Carolina sociologists said this, in effect, in a report made public Saturday of their study of Norfolk, Va.'s experience with closed schools.

"Norfolk learned the hard way that public schools are a necessity in the modern city," they concluded." . . . It learned, as Little Rock had learned, that to say its choice lay between desegregated schools and no public schools was to create an illusion of choice. A city without public schools is simply not a city."

In their report, "When a City Closes Its Schools," the sociologists found:

Many families underwent financial hardships to pay for their children's education in makeshift schools; normal family life was disrupted for many; one child in five didn't get to school at all.

Finally, they learned that when people are confronted with the choice of integrated schools or no schools, a majority will accept integrated schools. They found there had been a big shift in sentiment several weeks after the city's schools had been closed.

Shutdown of all white junior and senior high schools at Norfolk in the fall of 1958 came as the climax to Virginia's "massive resistance" answer to the U.S. Supreme Court's ruling against school segregation.

The governor of Virginia ordered them closed under state laws after federal courts had ordered the admission of several Negroes to hitherto white schools. An attempt to return the schools to local control, which would have meant integrated schools, was defeated by a 12,340 to 8,712 vote—a 61 per cent vote for closed schools.

Several months later, the governor announced that massive resistance had failed. Norfolk's schools were reopened and 15 Negro children were admitted to white schools.

"It is clear that closed schools had become increasingly unsavory to the citizens of Norfolk as the implications of their crisis began to strike home," said the UNC research team headed by Prof. Ernest Q. Campbell, who was assisted by Prof. Daniel C. Price and Charles O. Bowerman in making the study.

The study was based on interviews with 626 white adults and more than 2,000 white junior and senior high school students in Norfolk who were questioned in January and February, 1959—around the time the schools were reopened.

They found that 85 per cent of white Norfolk adults and 88 per cent of the white school children still favored segregated schools if a choice were possible, but that, faced with the choice of integrated schools or closed schools, 67 per cent of those polled said they would support re-opening the schools.

The report said this "does not justify a conclusion that Norfolk's citizens are 'a bunch of integrationists.' To the contrary, an impressive majority are segregationists. The data suggests merely that in a value-hierarchy there are certain things that take precedence over segregation; public education in Norfolk was one of those preferred things."

# South Low In Pupil Spending

Miami Herald Miami, Fla. Wed. 8/17/60 Page 1-E

DAYTON, Ohio — (AP) — There's a difference of as much as $734.34 in what various school districts around the nation are spending per pupil, a union research director says.

In remarks prepared for a panel discussion at the 44th annual convention of the AFL-CIO American Federation of Teachers, Dr. George S. Reuter Jr., federation research director, said his office has learned that: P-9-P

**1. Expenditures go as high as $860.34 in Clayton, Mo., and as low as $126 per pupil in Florence, S. C.**

2. The national average per-pupil expenditures are $301.15 in elementary schools, $354.68 in junior high schools and $372.16 in senior high schools.

3. The western region of the nation has the highest average per-pupil allocation for elementary schools, while the northwestern United States is highest on the average for junior and senior high schools.

**4. The South spends the least per pupil in all its public school divisions, an average of $230.83 per pupil in elementary schools, $266.40 in junior high schools and $259.87 in senior highs.**

5. New York had the highest national average for elementary, junior and senior high schools in per-pupil expenditures with $507.12 for elementary, $588.85 for junior high, and $626.90 for senior high school. On the other hand, the lowest averages were $158.22 per pupil in elementary schools in South Carolina and $173.04 and $187.51 for junior and senior highs in Alabama.

Reuter said the survey included 527 cities of more than 10,000 population, and that money from state aid was figured in.

# Six Years After

Pittsburgh Courier Pittsburgh, Pa. Sat. 8/13/60 P-12

Six years after the historic U. S. Supreme Court desegregation decree, Louisiana officials are still fighting in the courts to stall off Federal orders to integrate public schools, as are those in some Virginia counties.

Six years have elapsed and most of the school districts in the Deep South have not even made a start toward token compliance with the desegregation order.

Regardless of party affiliation, most white Southerners are opposed to public school integration and are fighting it in every way, and Negroes are pondering what to do about it.

One thing they can do wherever they live is to show politicians that they are determined to force the issue by removing officials who are openly or secretly obstructive; and that can be done by polling a vast Negro vote in November, North and South.

There are admittedly obstacles in the way of a huge Negro vote in November in some areas; but in many areas in which large numbers of our people reside, a 100 per cent Negro turnout still enable them to select the kind of representatives who will be afraid to flout their will on this issue.

It is a standing disgrace that even where voting conditions are most favorable to Negroes, too many of them stay home on election day, and then afterward wonder why no more attention is paid to their complaints.

Regardless of party affiliations, there is only one big issue of interest to Negroes in this Presidential campaign: i.e., the full implementation of civil rights.

# Sees 'Token' Integration For South

WASHINGTON — (UPI) — A prominent Southern editor said Tuesday the South, led by Virginia, is heading for an "era of limited integration."

Virginius Dabney, editor of the Richmond, Va. Times-Dispatch, cited recent integration moves in Florida, Arkansas and Georgia, plus earlier actions in Tenessee, North Carolina and Virginia as examples of a possible "new racial era" for the South.

He said "there are indications that it may be legally possible for Southern states to satisfy the federal courts, keep open their public schools, and yet to hold mixing of the races in the schools to an absolute minimum," Dabney wrote in a copyrighted article in the weekly news magazine U.S. News and World Report.

# 14,000 Study Ways, Means To Keep Schools Open to All

## Slogan: "Down With Segregation in Public Schools" Regardless of Race or Creed

## To Hold First Meeting in February

NEW YORK.—(ANP)—The women of America—14,000,000 strong—have taken up the segregation issue in public schools and are determined to do something about it.

After more than six months of planning, the women, representing 47 national organizations, have formed a coordinating council, named "NOW (National Organization of Women) For Equality in Education."

**First Meeting February 17**

At a press conference held Monday in the Interchurch Center on Riverside Drive, the Council outlined plans for a national "NOW For Equality" meeting to be held in Washington, Feb. 17-19. Purpose of the conference, officials explained, will be "to focus major attention in the psychological, educational, social and ethical consequences of segregation and their effect on children of all races."

Speakers at the Washington meeting will include Mrs. Eleanor Roosevelt; the Rt. Rev. James A. Pike, Protestant Episcopal bishop of California; Justice Justine Wise Polier of the New York Domestic Relations Court; Prof. Kenneth Clark of City college, and others.

**All Groups Represented**

Member organizations of "NOW for Equality" include women's religious, racial, labor and service groups. The full list follows:

American Jewish Congress, National Women's Division; Association of Universalist Women, Delta Sigma Theta, Fellowship of the Concerned, General Alliance of Unitarian and Other Liberal Christian Women, Hadassah, National Association of Colored Women's Clubs, National Council of Negro Women, National Council of Women, National Women's Conference, American Ethical Union; National Women's League, United Synagogue of America, iPoneer Women, Seventh Day Adventist General Conference, Women's Society; United Automobile Workers, Women's Department; United Church Women; Women's Branch, Union of Orthodox Jewish Congregations of America; and the Women's International League for Peace and Freedom.

**Individual Sponsors**

In addition to the national women's organizations that have formed "NOW for Equality," a number of distinguished American women have consented to serve as individual "NOW" sponsors, it was reported at today's press conference. The individual sponsors include:

Jennie L. Barron, Gertrude Berg, Viola Bernard, Futh H. Bunche, Agnes DeMille, Mrs. Lester B. Granger, Lorraine Hansberry, Fannie Hurst, Marion Kenworthy, M. D., Dorothy Kenyon, Margaret Mead, Anna Brenner Meyers, Justine Wise Polier, Eleanor Roosevelt, Caroline Simon, Lillian Smith and Mrs. Roy Wilkins.

**Eleanor Roosevelt, Honorary Chairman**

Mrs. Eleanor Roosevelt is honorary chairman of "NOW for Equality." Serving as vice chairmen are:

Mrs. Caroline Davis of Detroit, representing the Women's Department of the United Automobile Workers of America; Mrs. Sophie Yarnell Jacobs, representing the National Council of Women; Miss Dorothy Height of New York, representing the National Council of Negro Women; Justice Justine Wise Polier of New York, representing the American Jewish Congress Women's Division; Mrs. William Sale Terrell of New York, representing the United Church Women; and Mrs. M. E. Tilly of Atlanta, Ga., representing the Fellowship of the Concerned.

**"A Courage That Will Not Fail"**

Mrs. M. E. Tilly of Atlanta, who represents the Fellowship of the Concerned in "NOW for Equality," summarized the purpose of the Washington meeting at Monday's press conference.

"We aim to give American women," she said, "a conviction that will not let them rest, a courage that will not fail, and a faith that will not shrink."

# More suits filed in six states

NASHVILLE, Tenn. — Pressure to desegregate public schools increased in six southern and border states during February.

This observation was made in the current Southern School News, official publication of the Southern Education Reporting Service.

Most of the pressure came in the form of new petitions filed in Federal courts. The News cited the following cases as examples:

**ARKANSAS**

**THE LITTLE ROCK** School Board's use of the Arkansas pupil placement law in assigning colored high school pupils will be the subject of a court hearing on Mar. 22.

Judge John E. Miller of Fort Smith, set the date and said the hearing will be in the federal district court at Little Rock.

The court will consider a motion filed by Wiley A. Branton, attorney for the pupils, contending that any colored pupil who lives in the Central, Hall and Technical High School's attendance areas should be allowed to attend those schools if he wishes.

• • •

**BRANTON SAID** the board has refused to do this, and has thus violated the rights of the pupils, federal court orders and the School District's court-approved plan of gradual desegregation.

In the Dollarway (Ark.) desegregation case, a federal district judge refused to overrule a pupil assignment plan and order the admission of three colored pupils to an all-white school.

However, the judge instructed the Dollarway board to submit within 30 days a plan to eliminate segregation in its schools.

**GEORGIA**

**NAACP ATTORNEYS** have announced they will appeal an order by U.S. District Judge Frank A. Hooper setting a May 9 hearing to decide whether the Atlanta Board of Education desegregation plan will go into effect this fall or in 1961.

Judge Hooper had said he will give the General Assembly a chance to study the situation before any action is taken setting a deadline.

The NAACP notice of appeal was filed in U.S. District Court close on the heels of Hooper's order. It was signed by E. E. Moore Jr., Atlanta attorney, Mrs. Constance Baker Motley, and Thurgood Marshall, both NAACP attorneys from New York.

It will go to the U.S. Fifth Circuit Court of Appeals in New Orleans.

**LOUISIANA**

**PERHAPS THE** most decisive gain of the month was the Federal court ruling at New Orleans, that the NAACP need not file its membership list with the secretary of state.

Three federal judges ruled that the Louisiana law requiring organizations to file membership lists with the secretary of state is not applicable to the NAACP. The court ruled such a requirement would violate the First Amendment's guarantee of freedom of speech and assembly and the due process guarantee of the 14th Amendment.

In New Orleans, the NAACP asked the U.S. Fifth Circuit Court of Appeals — for the fourth time in five years—to order Dallas, Texas to produce a desegregation plan by September.

**TENNESSEE**

**FEDERAL JUDGE** Robert L. Taylor at Knoxville, instructed the city board of education to submit a desegregation plan by September.

In Chattanooga, a demand for desegregation of the city's public schools came in the midst of a series of sitdown demonstrations at variety store lunch counters.

Three colored parents, led by the president of the Chattanooga NAACP, told the city school board they would be "forced to take legal action" unless the board approves immediate school integration.

# ONLY SIX PER CENT OF NEGROES IN WHITE SCHOOLS

The Louisville Defender

At the snail's pace rate of public school desegregation in the South, it will be 94 years before full integration of Negro and white pupils will be achieved.

Louisville Ky. 7-4-60

This prediction is based on statistics provided by the Southern School News which show that in the six years since May 1954 when the United States Supreme Court outlawed jim crow public schools, only six percent of the Negro school pupils have been integrated.

There are, according to the latest count, 524,425 Negro pupils in integrated school districts. Actually, however, only 182,104 Negro children who attend classes with whites.

Hurs. 4-14-60

### Have Hopes For The Future

Though the statistics of the past predict a very dark future for school integration, observers feel confident that pupil integration will be achieved far in advance of the schedule indicated by past statistics.

The 17 southern and border states, plus the District of Columbia, have 3,039,133 Negroes and 9,901,310 whites enrolled.

A survey by Southern School News found the status of segregation-desegregation in the region to be this way;

### Dee Cee and West Virginia Integrated

The District of Columbia and West Virginia have complete integration in their school systems.

Six other states have substantial integration, five have partial integration and the remaining five maintain complete segregation.

Seventy-seven per cent of the Negro students are enrolled in the schools of the states with the least desegregation—the five with partial integration and the five with complete segregation.

The District of Columbia which has a current enrollment of 90,403 Negroes and 27,481 whites, adopted complete integration in 1954.

The District still has 21 all-Negro schools, with an enrollment of 16,161. Three schools are all-white.

### Statts With Substantial Integration

The six states with substantial integration are Delaware, Kentucky, Maryland, Missouri, Oklahoma and Texas. Here are the Negro enrollments for these states:

| | Negroes Enrolled | In Integrated Districts | In Schools with Whites |
|---|---|---|---|
| Delaware | 14,277 | 7,576 | 6,328 |
| Kentucky | 42,778 | 32,000* | 12,000* |
| Maryland | 126,678* | 118,500 | 28,07? |
| Missouri | 82,000* | 74,480* | 35,000* |
| Oklahoma | 39,405 | 30,000* | 10,246* |
| Texas | 279,374* | 33,000* | 3,300* |

*(*Estimated)*

Several border states have discontinued listing students by race and the racial statistics must be estimated.

Five states—Arkansas, Florida, Georgia, North Carolina, Tennessee and Virginia—have a combined Negro enrollment of almost one million. Desegregation in these states has resulted in 916 Negroes entering formerly all-white schools.

### North Carolina Ranks Second

North Carolina's Negro enrollment of 302,000 ranks the second highest of any southern or border state. Thirty-four Negroes attend formerly all-white schools in the Tar Heel state—the lowest number of any desegregating.

The Negro enrollment figures for the five partially integrated states are:

| | Negroes Enrolled | In Integrated Districts | In Schools with Whites |
|---|---|---|---|
| Arkansas | 104,205 | 9,750 | 98 |
| Florida | 192,093 | 25,881 | 512 |
| North Carolina | 302,060 | 43,506 | 34 |
| Tennessee | 146,700 | 13,576 | 169 |
| Virginia | 203,229 | 21,743 | 103 |

The five Deep South states with complete segregation — Alabama, Georgia, Louisiana, Mississippi and South Carolina—have a total Negro enrollment of 1,391,921, representing 46 per cent of the region's total. Georgia has the largest Negro enrollment of any southern or border state: 310,753.

### Stiff Penalties Provided

DISTRICT OF COLUMBIA—Congress passed its second civil rights bill since Reconstruction Days—imposing stiff penalties for interference with court desegregation orders. Washington School Supt. Carl F. Hansen reported five years of school desegregation had given students rising achievement levels, better teaching efficiency and more educational services.

FLORIDA — Two separate court actions raised the prospect that a number of additional suits to desegregate schools will be filed in Florida state and Federal courts.

GEORGIA—The Sibley School Study Commission announced its long-awaited findings, issuing both a majority and minority report. Federal Dist. Judge Frank A. Hooper will hold a hearing on the Atlanta school desegregation case May 9 after having studied the commission report.

KENTUCKY—Democratic and Republican candidates for the United States Senate made it clear at a "summit conference" of Negro leaders that school desegregation will not be a campaign issue.

LOUISIANA — The Orleans Parish School Board asked Federal Dist. Judge J. Skelly Wright to set aside his order for a desegregation plan for New Orleans schools by May 16.

MARYLAND—Republican Sen. J. Glenn Beall reported his poll showed a majority of Marylanders do not want school integration to move faster.

MISSISSIPPI — The current Legislature passed a bill authorizing local trustees to close public schools on threat of integration, an authority previously reserved to the governor. Eight other bills with racial angles either had passed or were pending.

### Smooth In Jefferson City

MISSOURI — Integration of schools was reported working out smoothly at Jefferson City.

NORTH CAROLINA — Negro student leaders from 11 Southern states and the District of Columbia agreed at a meeting in Raleigh to form a Southwide committee to co-ordinate segregation protests.

OKLAHOMA—A National Conference of Christians and Jews official predicted Northeast High School in Oklahoma City will have Negro students for the first time this fall.

SOUTH CAROLINA — Federal action was brought in Darlington against expulsion of three Negro high school students.

TENNESSEE — Two school boards adopted grade-a-year desegregation plans like that originated in Nashville.

TEXAS — Both Houston and Dallas, the state's two largest school districts, are under Federal court orders to announce desegregation plans during May.

VIRGINIA—Private segregated schools, set up in several communities to avoid public school integration, generally reported successful operations.

WEST VIRGINIA—An attorney for the NAACP asked a Federal court to retain an old school desegregation suit on its docket pending investigation of complaints of non-compliance.

# Six Per Cent Of Negro Pupils In South Integrated

Commercial Appeal

Special to The Commercial Appeal

NASHVILLE, May 3. — The sixth anniversary of the United States Supreme Court's school desegregation decision occurs this month with six per cent of the South's Negro students attending schools with whites, Southern School News reports in its May issue.

Memphis

The court handed down its ruling that public school segregation was unconstitutional on May 17, 1954. An implementation decision followed on May 31, 1955, directing that desegregation proceed with all deliberate speed.

Wed 5-4-60

At the time of the first decision, 17 Southern and border states and the District of Columbia required segregation of the races in their public schools. As the end of the sixth school year approaches, complete segregation is maintained in five of these states: Alabama, Georgia, Louisiana, Mississippi and South Carolina.

### 182,104 Negroes Enrolled

The other 12 states and the District of Columbia have 182,104 Negroes attending classes with whites. Out of the region's total of 3,039,133 Negro students, 524,425 of them attend school in districts that have desegregation in practice or principle.

Statistics kept by SERS and Southern School News trace the development since the 1954 ruling. At the close of the 1956 school year, 450 school districts were desegregated. In 1957, 270 were added and in 1958, 60.

At the fifth anniversary in 1959, 802 school districts were desegregated out of 2,909 in the region that were bi-racial. This month, the records show 749 out of 2,849 districts desegregated. The decrease in both figures resulted from consolidation of school districts in several states.

Developments state by state during April:

ALABAMA—The 13 Negroes who applied for admission to the University of Alabama's Extension Service Center in Montgomery will not be enrolled for the spring quarter, university authorities announced.

ARKANSAS—Negro plaintiffs in the Little Rock case filed a 66-page brief arguing against use of the pupil assignment law and for expansion of the desegregation plan.

DELAWARE — The United States Third Circuit Court of Appeals in Philadelphia was asked to set aside Delaware's grade-a-year desegregation plan approved by a lower Federal court in 1959.

14d(1) 1960

GENERAL

# Closings Peril Freedom, Say 33 Dixie Educators

GAINESVILLE, Fla. (AP)—Thirty-three Southern educators Tuesday warned that closing of public schools would lead to "collapse of our democratic society."

The statement — just short of 3,500 words — has been in preparation since May of last year. The idea came during a faculty meeting at the University of Florida. It was released in pamphlet form by the educators — five of them college presidents.

The one Georgian signing the statement was Dr. Wallace M. Alston, president of Agnes Scott College in Atlanta.

Florida led the number of signers with eight. Next in order were: North Carolina six; Tennessee five; Texas four; Kentucky and Virginia three each; Maryland two; and Georgia and Alabama one each.

The educators said the statement was personal and that it was issued in the belief "that the welfare of the South and the perservation of our democratic heritage is dependent upon our ability to maintain a free and educated citizenry."

No mention was made specifically of segregation but the Little Rock school closing was pointed out, quoting businessmen and officials as saying it hurt business, that some of the population moved away and that industrial prospects were lost.

The statement said abandonment of the tax-supported public school system and repeal of compulsory attendance laws would increase unemployment and juvenile delinquency and seriously harm economy in many areas. It said there would result a grave loss of scientifically trained personnel.

Regarding private schools, it said relatively few would be "financially able to pay salaries sufficient to attract competent teachers. These will be schools with high fees which will be available only to children of the wealthy.

"In many cases the sums paid by the state will not meet the cost of private schools. Thus the parents' outlay for education will be materially increased. No one seems to have really studied this aspect of the problem."

Dean J. B. White of the University of Florida College of Education said the suggestion of "a Southern attitude" came in a faculty meeting last spring and "I did the leg work. The statement went to all those who signed it and all had a say in how it should eventually be presented. We are trying to do a public service."

Dr. White said those asked regarding the statement "were picked much at random by us here in the college of education but mostly we selected deans in colleges of education because we knew them."

# 33 Educators Warn Against School Closing

GAINESVILLE, Fla. (AP) — Closing of public schools would lead to "collapse of our Democratic society," an increase in unemployment and juvenile delinquency and serious economic setbacks, a group of 33 Southern educators say.

Their statement was released Tuesday. All the signers are college officials.

Dean J. B. White of the University of Florida's College of Education said the idea of expressing such a Southern attitude came up during a faculty meeting last spring and "I did the leg work The statement went to all those who signed it and all had a say in how it should eventually be presented. We are trying to do a public service."

His statement was made in response to a newsman's question and is not in the statement which runs less than 2,500 words.

The 33 said the statement was issued because of their belief "that the welfare of the South and the preservation of our Democratic heritage is dependent upon our ability to maintain a free and educated citizenry."

They said if schools were closed "the labor market would be flooded with unskilled and untrained young people. No community can absorb large numbers of teenagers in gainful occupations. Neither can it provide youth services and recreational facilities which can take care of daytime hours or so large a number. It is reasonable, therefore, to expect that when hundreds of school age boys and girls are without employment many will drift into crime and delinquency.

"People who are well educated are more intelligent consumers, have greater income and spend more per capita. Thus there is a direct relationship between the level of education and economic well being of a community."

The statement said relatively few private schools would be financially able to pay salaries sufficient to attract competent teachers. These will be schools with high fees which will be available only to children of the wealthy.

Florida led with 8 signers and next in order were North Carolina 6, Tennessee 5, Texas 4, Kentucky and Virginia 3 each, Maryland 2 and Georgia and Alabama 1 each.

# 17 Women's Groups Organize To Combat School Segregation

Seventeen national women's organizations began a joint effort yesterday to combat segregation in the public schools. The work will operate under a coordinating council named the National Organizations of Women for Equality in Education.

The chairman of the planning committee is Mrs. Thelma Richman of Philadelphia, president of the Women's Division of the American Jewish Congress.

The effects of the integration struggle are being felt by all children, both white and colored, Mrs. Richman said at a press conference at the Interchurch Center, 475 Riverside Drive.

"We have watched with dismay how an attitude of permissive lawlessness regarding the issue of integration has invaded all areas of American life," she said.

The 14,000,000 women enrolled in the seventeen groups, she continued, are concerned with the influence on growing children of "an increasing disregard for law and order, a growing disrespect for education itself and the inevitable consequences to our children and to our society."

N. O. W. for Equality, the abbreviated name of the council, will hold a conference in Washington Feb. 17, 18 and 19 to focus national attention on the issues and to formulate plans. Among the speakers will be Mrs. Franklin D. Roosevelt, the Right Rev. James A. Pike, Protestant Episcopal Bishop of California, Justice Justine Wise Polier of the New York Domestic Relations Court and Prof. Kenneth Clark of City College.

Two sociological studies, now in preparation, will be presented. One, being prepared by Dr. Martin Hamburger of New York University, will analyze the attitudes of a sampling of high school studentsh on racial questions and other democratic issues.

The other will include a survey of the experiences of women in meeting the segregation question. This survey will concentrate on women in Philadelphia, Detroit, Houston and Atlanta. Mrs. Ruthena Tudbury of White Plains, representing the General Alliance of Unitarian and Other Liberal Christian Women, is chairman of these studies.

Mrs. Harold Walker of Brooklyn, president of the National Women's Conference of the American Ethical Union, is chairman of conference arrangements. Dr. Orlie Pell, president of the Women's International League for Peace and Freedom, is chairman of the conference program.

Other members of the council are the Association of Universalist Women, Delta Sigma Theta, Fellowship of the Concerned, Hadassah, National Association of Colored Women's Clubs, National Council of Negro Women, National Council of Women, National Women's League of United Synagogue of America, Pioneer Women, Seventh Day Baptist General Conference, United Automobile Workers' Women's Department, United Church Women and Women's Branch of the Union of Orthodox Jewish Congregations of America.

# School Opening Is Quiet In Dixie

## Integration Problem Delayed In Hot Spots—Deep South States Hold Out

By AL KUETTNER
United Press International Staff

ATLANTA, Sept. 3.—There appears to be a good chance the loudest noise at school openings in the South this fall will be the voices of children recounting vacation experiences.

If there is an absence of serious desegregation strife—as it now appears — the reason will not be that the problem is over but that it has simply been postponed in the hottest racial spots in Dixie.

Many schools already have opened. The others follow during the coming week.

**Police Chief Hopeful**

Houston, Texas, could provide some tension should a Federal court insist on the desegregation of schools there next Wednesday. But Houston Police Chief Carl Shuptrine says of such a prospect that "I think it will go smoothly."

Elsewhere in the South this seventh autumn since the Supreme Court ruled out compulsory segregation, this was the picture:

New Orleans, at first ordered to desegregate public schools Sept. 7, was given 65 days extension to the opening of the Nov. 14 winter quarter. The last-minute "reprieve" was granted by the United States Supreme Court, which at the same time threw out all of Louisiana's school segregation laws and legally tied Gov. Jimmie Davis' hands against interference with desegregation in New Orleans.

**14 Districts Mix**

Fourteen school districts in Arkansas, Delaware, Oklahoma, North Carolina, Tennessee, Texas and Virginia are scheduled to start school for the first time on non-segregation policy.

Desegregation of Atlanta schools was postponed a full year until the fall of 1961.

Thus, the five Deep South segregation holdout states of Alabama, Georgia, Louisiana, Mississippi and South Carolina will be in the school business once more with racial barrier still in place. All other states have made at least a token start toward lowering the bars.

The People Speak . . . No. 4

# Politicians Nearing 'Brink' On School Integration Issue

(This is the last of four articles by Mr. Lubell, famed political pollster, on how the South looks at politics and school segregation.)

BY SAMUEL LUBELL

A strange new form of political brinkmanship seems likely to dominate the next stage of the school desegregation struggle.

Mainly it will reflect the fact that for the first time since the Supreme Court's 1954 ruling, public opinion in the South is split into two conflicting streams of feeling on the school issue.

The more ardent segregationists still propose defying the Supreme Court even if it means abandoning the public school system. But particularly in the larger cities a growing number of Southerners want to be spared the turmoil and disruption of closed schools.

How far then will the South's political leaders carry their resistance to the Supreme Court? Will they find a way of pulling back at the very brink or will they plunge over and close down the public schools?

Atlanta seems slated as the next showdown site for this test. Left to their own desires, Atlantans probably would prefer some small degree of integration. In five different neighborhoods my interviews showed a two-to-one proportion in favor of keeping the schools open even if it meant mixing some Negro and white children.

Under Georgia law, however, any school that is integrated is cut off from state education funds.

**Predict Closing**

Many Atlantans gloomily predicted "the schools will be closed for a year." One man I talked to had arranged to send his four children to relatives in other states. A salesman had taken a second job as a photographer "so I'll be able to send my girl to private school." A storekeeper's wife complained all private schools "are filled up."

Other parents, feeling the schools will stay open, are preparing their children for integration—often with much trepidation.

A 30-year-old hardware clerk talked of making sure that "when the schools are mixed, the Negroes won't bother my kids more than once."

He was teaching his two sons judo and wrestling. "Next Christmas," he added, "they're going to get boxing gloves."

In another Atlanta family it was argued whether it was better to start integration with first grade children or in high school.

"Begin with the youngest children," contended the middle-aged wife of a building trades worker. "Little children don't have prejudices. They won't say mean things to each other. They won't know the difference."

"That's the trouble," interrupted her married daughter. "You should start with high school kids who know the difference and won't mix. If they play together as kids, the girls will get to like the Negro boys. They'll grow up and intermarry."

Such fears illustrate how deep is the reluctance with which the prospect of even a small degree of integration is accepted. Most people, in fact, have been won over only because of a sharper dislike of the alternative of closed schools.

As one city worker put it: "I don't want my children to associate with Negroes. But shutting the schools will set Georgia back 15 years and Georgia is already at the bottom of the bucket on education."

Among the segregationists, not alone in Atlanta but through the whole South, relatively few think that the schools can be kept separate forever. The older people are apt to say, "it has to come, I guess, but I've lived all my life without seeing any mixing of the races and I'd let it wait until after I'm gone."

Others favor closing the schools "for a while" as a matter of tactics.

One Little Rock resident who was resigned to some integration bespoke his approval of Gov. Orval Faubus.

"Faubus stood for a principle even though he knew he was going to be beaten," said the man. "I'd vote for him for president or senator or any office he wants."

This is the choice that many Southern political leaders will be facing: Should they emulate Governor Faubus in "going down fighting for a lost cause" or should they accept some compromise that would keep the schools open?

## Major Bills in Congress

TUESDAY, JUNE 28, 1960

ABBREVIATIONS

C—In Committee. R—Reported. F—On Floor. P—Passed. D—Defeated.
Bill. House. Senate. Bill. House. Senate.

Provides Federal grants to the states for public schools. House bill prohibits grants to segregated schools. Authority for a Senate-House conference to compromise differences has been blocked by House Rules Committee. (HR 10128 and S 8). P P

Increases Federal minimum wage to $1.25 an hour and extends coverage to 4,100,000 additional workers (HR 12677 and S 1046) ..... R C

## INTEGRATION GAIN IN SOUTH IS NOTED

### 14 More School Districts to Admit Negroes, Survey of 17 States Discloses

Special to The New York Times.

NASHVILLE, Tenn., Sept. 3—Desegregation is being undertaken or planned this fall for the first time in fourteen Southern school districts, according to the Southern Education Reporting Service.

Federal court integration orders are outstanding against two other school districts—Houston, Tex., and New Orleans last Thursday both districts lost appeals to the United States Supreme Court in an effort to shall desegregation.

Houston is under an order to admit Negroes to the first grade of white schools when they open next Wednesday. A Federal District Court has allowed the New Orleans school board until Nov. 14 to complete arrangements for admitting Negroes to the all-white schools there. This would be the first school district integrated in Louisiana.

Knoxville, Tenn., took its first integration step with enrollment of twenty-eight Negroes in the first grades of previously all-white schools. This was done under a Federal court order that approved the grade-a-year integration program proposed by the Knoxville School Board.

The Knox (Knoxville) County School Board announced it was desegregating the county schools voluntarily on a grade-a-year plan. It is the first such action taken voluntarily by a public school board in Tennessee. But no Negroes showed up to enroll in the first grade when the schools opened.

One new district will be desegregated in Arkansas, North Carolina and Texas; two each in Delaware, Tennessee and Oklahoma and five in Virginia, the reporting service said.

Desegregation of these districts brngs to 765 the number that have Negroes attending schools with whites to some extent in the South. Of the 6,676 school districts in the seventeen Southern and border states and the District of Columbia, only 2,383 have both Negro and white residents.

The reporting service said consolidations in several of the states cut the total number of districts by 340.

Delay of integration in New Orleans left the South with five states where public schools still are completely segregated. In addition to Louisiana, these are Alabama, Georgia, Mississippi and South Carolina.

Several schools that have some degree of desegregation are expected to receive increases in enrollments of both races. But the reporting service said the number of Negroes actually attending schools with whites was expected to remain at about 6 per cent of the total Negro enrolment in the seventeen-state area.

In North Carolina, three Negroes will be admitted to a formerly all-white elementary school at Chapel Hill. This will be the eighth North Carolina school district to desegregate and all have done so voluntarily.

However, this was overshadowed by the efforts of seven Indians to gain admission to white schools at Dunn, N. C., which has its schools triple segregated—white, Negro and Indian. The Indian children's parents apparently raised no objection to segregation but were resisting a seventy-mile but trip the students are required to make each day.

In Arkansas, scene of much controversy over desegregation the Dollarway School District near the Pine Bluff has assigned a single Negro to a white elementary school as a result of a suit pending since 1959. This brought to ten the number of districts with biracial classes in that state.

**Action in Delaware**

The two Delaware districts undertaking desegregation for the first time were listed as the Seaford Special School District and the Krebs School in the Newport, Wilmington, State Board District 21. The two Oklahoma districts ending segregation are Wewoka and Sapulpa, both of which acted voluntarily and chiefly to cut the cost of school operations.

Integration in Knoxville and the offer to do so in Knox County brought to six the number of school districts in Tennessee that have officially ended segregation.

Virginia, which fought integration harder than almost any other state, has five districts taking the initial step toward desegregation. The State Pupil Placement Board assigned Negroes to white schools in Fairfax County, Richmond and Roanoke. Negroes will be admitted to white schools in Pulaski County and in the Grayson County-Galax community by court order.

Frenship District in Lubbock County, Tex., is admitting Negroes to white schools after having voted to do so last spring.

14d(1) 1960 GENERAL

# Negroes Upheld in Four Suits to End Segregation

New Orleans States-Item
Sat. 4-30-60

Four suits aimed at ending segregation in certain Louisiana public schools were decided in favor of Negro plaintiffs Friday by Federal District Judge J. Skelly Wright.

**The court granted summary judgements asked by the Negroes in cases against the St. Helena parish school board, the East Baton Rouge parish school board, and the Louisiana state board of education and Supt. Shelby Jackson.**

Two of the cases against the state board and its superintendent asked that segregation policies be ended at the Southwest Louisiana trades school at Crowley, the Natchitoches trades school at Natchitoches, the St. Helena parish trades school at Greensburg, the Sowela vocational - technical school at Lake Charles, the T. H. Harris trades school at Opelousas, and the Shreveport trades school.

**The plaintiffs asked in their motions for summary judgements argued March 14 in Baton Rouge that an end of segregation be ordered "with all deliberate speed." In the suits against the two parish boards the Negroes also asked that Judge Wright order the boards to present plans for desegregation but in his order granting the judgement Judge Wright did not set a definite date for the presentation of such a plan.**

In these same two cases Judge Wright denied petitions for intervention filed by parents of white children who claimed that their children would suffer if the schools are desegregated.

# 'National Vote Would Favor Segregation'

Jackson Daily News
Jackson, Miss.
Sun. 5-15-60
P. 6

## Simmons, Citizens Council Editor, Speaks In N.Y.

ELMIRA, N. Y. (Special) — A top Citizens Council official last night declared that if a "nation-wide referendum were held, the vast majority would favor social separation of the races."

W. J. Simmons of Jackson, Miss., editor of the Citizens Council newspaper, spoke on race relations before students at Elmira College here.

Simmons said northern parents have "as little enthusiasm" as their southern counterparts "for sending their children to school with large numbers of Negro children."

"They (northern parents) equally disapprove of interracial marriages. The same goes for residential integration. Witness the euphemistically named 'transitional' neighborhoods in every northern metropolis with a large Negro population. It is one of the most astonishing and encouraging facts of America today that in spite of absolute command of the media of mass communications by those who want to corce us to integrate, the people of our great country have remained almost totally impervious to the steady torrent of admonitions to mix, mix, mix,' Simmons said.

### NOT UN-AMERICAN

To describe segregation as "un-American" is "sheer nonsense," he told the audience.

"Race preference is as American as apple pie. Except for a few of the most fanatical of the abolitionist leaders during Reconstruction, the idea of mass interracial mixing was totally alien and unknown to our people until the last decade or so when the pressure groups advocating it came to power. Our 'melting pot' mixing of different strains has been confined to white peoples of European ancestry. It has never included the black people of African ancestry," Simmons said.

The Citizens Council editor described the differences in race relations between the north and south as a "question of numbers."

### COMPARISON

"Let's compare Minnesota and Mississippi to illustrate the point. Minnesota is the source of much of the pressure for 'civil rights' legislation to force the South to integrate. Most of her political leaders are 'liberal' on the race question. We southerners wonder why the politicians of this northern state seem so determined to integrate us. Lots of people from Minnesota come south. They act just like other white folks. Mississippi is regarded as the fountainhead of southern resistance to integration. Her political leaders are rock conservative on the race question. Why this absolute difference in public policy? Are the citizens of Minnesota enlightened champions of democracy and those of Mississippi its betrayers?

"Let's take a closer look. According to the 1950 census, Minnesota had a population of 2,982,483 Of this total, 14,022, or one half of one per cent were Negro. According to the 1950 census, Mississippi had a population of 2,178,914. Of this total, 986,494, or 45 per cent were Negro. To put the two states on the same basis for comparison percentage-wise Minnesota's Negro population would have to be increased 1,328,082 in order to equal Mississippi's 45 per cent Negro population. Now if over one and a quarter million more Negroes were living in Minnesota, what do you think would happen to the 'liberal' racial attitudes? You know what would happen. You couldn't tell the racial policies of the two states apart," Simmons declared.

### NOTES GANGSTERISM

Simmons noted that integrated northern cities are plagued by juvenile gangsterism. He pointed out that 41 schools in New York City requested police protection last year.

"Southern people may be backward but they just don't understand that kind of progress. Such conditions are utterly unknown south of the Mason-Dixon line in our separate school systems. There no organized gangs terrorizing students and teachers. There is not a single incident on record, as far as I know, where police have ever been needed to keep order in a single segregated white or Negro school in the South. Is it any wonder, then, that southern parents take a dim view of this 'brotherhood' business in the light of such goings-on?" Simmons said.

# House Votes Imperiled School Bill

The Courier-Journal
Louisville
P. 1

## Antisegregation Clause Could Mean Its Doom

By TOM WICKER
© New York Times News Service

Washington, May 26 — The House of Representatives approved a four-year, $1,300,000,000 school-construction bill Thursday, but wrote in an antisegregation provision that may doom it.

Courier-Journal
Louisville
Fri. 5-27-60

In a surprise reversal for the bill's confident Democratic backers, the House voted three times to include the controversial "Powell amendment." This amendment, introduced by Representative Adam Clayton Powell, New York Negro Democrat, won first by 126 to 108 on a standing vote, 151 to 103 on a teller vote, and finally by 218 to 181 on a roll call.

### To Be Used For Grants

As it finally emerged from the sort of parliamentary mare's nest in which the House delights to entangle itself, the measure:

1. Provides $325,000,000 in each of four years, to be used for grants to the states for construction and renovating classrooms.

2. Requires State or local matching funds in the first two years and State matching in the last two.

3. Declares that the aid funds "shall be available to students without regard to race, creed, color, national origin, or religion, in accordance with decisions of the Supreme Court."

### Lose By Close Vote

A coalition of Southern Democrats and Republicans apparently was responsible for the Powell amendment's success, as the participants co-operated smoothly in an effort to kill the bill. But they failed to muster enough strength on the final vote and lost by a close 206 to 189.

Earlier the coalition had appeared to have things its way—even to the point of temporarily substituting for the pending bill a measure that would have turned back to the states 25 per cent of the federal cigarette tax to be devoted to unrestricted school purposes.

Courier-Journal
Louisville
Sun. 5-27-60

That was a measure of the legislative gymnastics through which the House put itself before emerging with a final bill that satisfied almost no one.

### 10 Amendments Proposed

Ten amendments were proposed and disposed of in one way or another before the House moved to the stage of final passage. Then, so complicated was the parliamentary situation that it took three climactic roll calls to decide whether there would be a bill at all and, if so, what it would provide.

Ever present was the active hostility of the Southern Democrats and a majority of the Republicans—some of the lat-

ter against any federal aid to education and others holding out vainly for the more limited plan proposed by the Administration.

The Powell amendment would prevent any school district, in defiance of a court order to desegregate, from receiving federal grants under the bill.

**Used As Death Tool**

It is widely regarded as a tool with which to kill any federal-aid bill, although representative Powell insisted on the floor of the House that "a vote against this amendment is a vote against the Supreme Court."

The strategy of Republican opponents of the bill was to help vote the Powell amendment in to the bill. Their Southern Democratic helpers retired to the cloakrooms in droves while the vote was being taken.

Then, on final passage, both the Southern Democrats and many of the Republicans joined in an effort to kill the whole bill. Many Southerners who normally favor federal aid to education, faced with the Powell amendment, felt obliged by home-state politics to oppose the amended bill.

**Could Cause Trouble**

Ninety-two Republicans voted against the bill on final passage. Forty-four voted for it. Voting for the bill were 162 Democrats. Ninety-seven Democrats, mostly Southerners, opposed it.

The presence of the Powell amendment in the final version of the legislation could offer difficulty in several ways. A Senate bill has already been passed without such an amendment and the two versions must now be taken to a conference of the two houses.

If the amendment is allowed to remain in the bill that comes from the conference, it could cause trouble in the Senate, where the Southern members are armed with the right of unlimited debate.

**There's Unknown Factor**

If it is removed, the House—having voted three times for it—might not accept the conference version.

An unknown factor in the situation is whether President Eisenhower will sign any aid-to-education bill. His own program—which would provide $2,200,000,000 over 30 years to help localities pay interest and principal on bonded indebtedness for school construction—lost on a 319-to-80 roll-call vote.

# School Aid Bill Unsure Despite House Passage

## Measure Carries Racial Amendment; More Battling Seen

By ROBERT K. WALSH
Star Staff Writer

A $1.3 billion four-year school construction aid bill approved by 17 votes in the House had so many strikes against it today that even its backers wondered whether it ever will become law.

The measure adopted last night, 206-189, presented congressional leaders with thorny problems of parliamentary strategy and election-year headaches.

On top of this was a distinct possibility that President Eisenhower would veto whatever legislation might result from a Senate-House conference or otherwise be agreed on by both branches.

**Anti-Segregation Issue**

Adoption of an anti-segregation amendment raised doubt that the House version can be readily reconciled with a $1.8 billion two-year bill passed by the Senate last February, to make grants for teachers salaries as well as school construction.

Any move by Democratic leaders to have the Senate accept the House bill without sending it to conference conceivably could touch off a floor battle on the civil rights issue within a month of the Democratic National Convention. And, if the two bills were sent to a Senate-House conference and the conferees were able to iron out differences, any proposed compromise might never get beyond the House Rules Committee or be approved by the House before Congress adjourns in early July.

**First of Kind From House**

The bill finally squeezed through the House last night after more than seven hours of marching up and down the parliamentary hills. It was the first of its kind the House has ever approved—to have the Federal Government make direct financial grants to help States build schools.

The bill was in hot water almost from the start of the amending maneuvers. Roll-call votes revealed several quick changes in party line-ups and coalitions. On final passage 162 Democrats and 44 Republicans supported it and 97 Democrats and 92 Republicans were opposed.

The line-up on the anti-segregation amendment, seen by many as a chance to assure the bill's defeat, showed 100 Democrats and 118 Republicans for it and 160 Democrats and 21 Republicans against.

Unlike somewhat similar bills defeated in 1956 and 1957 largely because of attempts to include anti-segregation amendments, the present bill contains a ban on giving such Federal funds to States failing to comply with the Supreme Court decision against public school racial segregation.

The amendment sponsored by Representative Powell, Democrat of New York, was adopted 218-181. That roll-call vote admittedly put many members on the spot. Representative Thompson, Democrat of New York, and several other Democratic liberals supporting the bill opposed inclusion of the amendment in the measure. They said adequate safeguards already were available to prevent racial discrimination in allocation of the Federal funds.

As finally worked out by the House, the bill was considerably broader than Mr. Thompson and other sponsors originally planned. It contained only one major concession to the administration.

**Funds Provision**

It would permit $325 million in Federal grants annually for four years to States to build public schools. The original bill would have provided $325 million annually for three years. The House adopted an amendment yesterday requiring that the Federal grants be matched dollar-for-dollar by States and local communities during the first and second year and by the States during the third and fourth years. The bill originally required no matching during the first of three proposed years.

Administration officials and House Republicans in general advocated a different approach that would have provided for "stretched out" Federal payments totaling between $2 and $3 billion to help States pay debt principal and interest charges to retire their school construction over a 30 year period.

A Republican proposed amendment to that effect was defeated last night, 319-80, when put before the House in the form of a motion by Representative Kearns, Republican of Pennsylvania, to return the bill to committee.

**Cite Alternative**

Republicans indicated that if the Federal grant approach were followed it should require State matching during each year of the program. Republicans and some Democrats also wanted the allocation of Federal funds to be based not only on school age populations of States but also on a formula giving larger outlays to needy States.

An amendment of that kind offered by Representative Elliott, Democrat of Alabama, was tentatively adopted 130-12 late yesterday afternoon but rejected on a voice vote before final passage of the bill.

When the bill seemed headed for passage, despite the Powell amendment, its chances suddenly were clouded by an amendment presented by Representative Bow, Republican of Ohio. This would have scrapped the Federal grant provision and given to each State two of the eight cents Federal cigarette tax collected in each State.

This would have amounted to about $380 million a year for distribution among the States and be used by States for any kind of school purposes without Federal control or supervision of any kind. The Bow amendment was beaten, 219-181, despite substantial support by Republicans and Southern Democrats.

**Others Not Germane**

Two other major amendment moves were ruled out of order as not being germane to the bill designed to help States build public schools.

One submitted by Representative Metcalf, Democrat of Montana, would have inserted the Senate provision for grants for teachers salaries. The other offered by Representative Pucinski, Democrat of Illinois, would have authorized Federal loans to help private and parochial schools build additional classrooms.

Representative Forand, Democrat of Rhode Island, presiding at the time, upheld points or order raised against those proposals.

# School 'Mixing' Gets Green Light

By STEVE GERSTEL

WASHINGTON — (UPI) — The supreme court refused last week to halt scheduled racial integration of first grade classes in New Orleans and Houston. School boards of both cities promptly said they would obey the ruling.

The court, acting on three racial integration cases, also declined to interfere with a lower court order directing the admission of at least 22 Negro students into the Wilmington, Del., schools at every grade level this month.

In the Louisiana and Texas cases, the high court struck down petitions filed by attorneys for the state of Louisiana and the Houston independent school district.

**NOV. 14 THE DATE**

Both petitions sought to block integration of the first grade classes. The court did uphold one lower court order postponing the start of New Orleans integration from Sept. 6 until Nov. 14.

In New Orleans, parish school board chairman Lloyd Rittiner said the board will be able to work out some kind of plan for integration on Nov. 14.

Rittiner was pleased at the court's decision, which was confirmation of a 65-day-old lower court ruling ordering school integration.

**LESS THAN 100**

NAACP Attorney A. P. Tureaud indicated in New Orleans that the number of Negroes wanting to enter first grade in white schools probably will be less than a hundred.

In Houston, the court's decision was accepted "under protest and duress" by Dr. Henry A. Peterson, chairman of the city's school board. He said, however, that Houston's public schools will be integrated next week. Seven Negroes have tried to register in previously all-white first grade classes.

# Birmingham Gets Its First Integration Suit

NASHVILLE, Tenn. — (UPI) — Negroes in three new federal law suits filed in June, are seeking to desegregate public schools for the first time in Birmingham, Ala., Volusia County, Fla., and Caswell County, N. C. Southern School News reported in its July issue.

The Birmingham action represents the only litigation attacking segregated schools in that state, according to the monthly publication of Southern Education Reporting Service.

Mississippi has become the only state that maintains complete segregation in its school system and does not have a suit seeking to change the situation.

**APPEAL TO DAVIS**

The Orleans Parish (county) school board, facing a federal court order to desegregate the New Orleans public schools beginning Sept. 6, has appealed to Louisiana Gov. Jimmie H. Davis to use the doctrine of interposition to keep the schools open on a segregated basis.

The Houston, Tex., school board is awaiting a decision by U. S. District Judge Ben C. Connally on the undisclosed desegregation plan it has submitted to the court. The plaintiffs are seeking to enter the white schools at the start of the school year in September.

The new Alabama suit entered on June 17 charges that the pupil assignment law, previously upheld by the U. S. Supreme Court, is "inadequate to provide relief."

A suit in federal court at Jacksonville, Fla., was filed in behalf of 39 Negro students from Volusia county (Daytona Beach). NAACP attorneys said it was the most extensive school suit ever filed in the nation. The petition concerns not only pupils, but also assignment of teachers and administrative personnel and budgeting of school funds.

Forty-four Negroes seek desegregation of Caswell County, N. C., schools. Since the suit was filed, seven of the students have requested transfers to the county's white schools.

The school board at Chapel Hill, home of the University of North Carolina, voted unanimously June 27 to accept the applications of three Negro students for the first grade at an all-white school. This would be the first desegregation in the 3,500-student school system. The board unanimously rejected nine Negroes' applications for transfer to the all-white junior high.

## BLAST LEVELED AT DALTON SUIT

### Hughes Criticizes Court Action on Purchase

Attorney Robert Hughes Wednesday rapped action by Samuel S. Dalton for filing a suit in his own name to enforce an alleged legal right of the Jefferson parish school board.

Both Hughes and Dalton are candidates for judge of division D, 24th judicial district court for the parish of Jefferson.

Dalton filed a suit Tuesday seeking to recover $200,000 for the Jefferson parish school board and the Jefferson taxpayers. The money was paid by the school board for a swampy high school site in Marrero.

Hughes said he was interested "to learn that a private individual and attorney can, on his own motion, become counsel for a governmental agency."

**MULTIPLE SUITS SEEN**

Hughes said:

"I am concerned that if all of the other candidates for public office in Jefferson parish are permitted the same privilege, the courts to which the suits are allotted will have a most difficult time in ascertaining whc represents the school board. Not being limited to candidates, an untold number of other attorneys or citizens may also file such a suit."

Hughes said he was interested to learn that the suit allegations set forth that the defendant members of the school board, who are charged with fraud, may purge themselves and obtain dismissal of the suit against them by joining the plaintiff.

Hughes continued:

"If fraud is involved and if the suit is a proper one in law, it may be construed as affording the opportunity to any defendant to escape liability simply by joining with the self-appointed plaintiff.

**SAYS LANGRIDGE ACTS**

"Inasmuch as the district attorney, Mr. Langridge, is presently investigating the transaction at issue and has publicly stated that his investigation is being conducted, after which such action as is indicated by the evidence will be taken, there seems to be no reason at this time for a candidate for public office to gratuitously bring an action for the benefit of the school board which he does not represent and interfere with the orderly and legal process of investigation presently being conducted. The object sought to be attained, and the desire of every citizen of Jefferson, is to recover any funds due the school board if such funds have been illegally expended.

"If the facts justify legal action after they have been fully developed and such action is not brought by the proper authority, the law provides a remedy to enforce that right.

"That remedy is a mandamus suit brought in the name of the state against the public official or officials charged with the duty to initiate action to recover the funds. Although a private citizen may not usurp the duty o. a public official or board, he may bring an action to enforce the performance of that duty."

Hughes said he feels that as an attorney, or as a judge, he should operate within the framework of existing laws and should refrain from attempts to legislate through judicial action.

# New Suits Filed To Open Schools

NASHVILLE, Tenn. — Negroes filed three new law suits in federal courts in June, seeking to desegregate public schools for the first time in Birmingham, Ala., Volusia County, Fla., and Caswell County, N. C. SOUTHERN SCHOOL NEWS reported in its July issue.

The Birmingham action represents the only litigation attacking segregated schools in that state, according to the monthly publication of Southern Education Reporting Service.

Mississippi has become the only state that maintains complete segregation in its school system and does not have a suit seeking to change the situation.

The Orleans Parish (county) school board, facing a federal court order to desegregate the New Orleans public schools beginning September 6, has appealed to Louisiana Gov. Jimmie H. Davis to use the doctrine of interposition to keep the schools open on a segregated basis.

**DECISION AWARDED**

The Houston Tex., school board is awaiting a decision by U. S. District Judge Ben C. Connally on the undisclosed desegregation plan it has submitted to the court. The Negro plaintiffs are seeking to enter the white schools at the start of the school year in September.

The new Alabama suit entered on June 17 charges that the pupil assignment law, previously upheld by the U. S. Supreme Court, is "inadequate to provide relief."

A suit in federal court at Jacksonville, Fla., was filed in behalf of 39 Negro students from Volusia County (Daytona Beach). NAACP attorneys said it was the most extensive school suit ever filed in the nation. The petition concerns not only pupils but also assignment of

[illegible] and administrative personnel and budgeting of school funds.

Forty-four Negroes seek desegregation of Caswell County, N. C., schools. Since the suit was field, seven of the students have requested transfers to the county's white schools.

The school board at Chapel Hill, home of the University of North Carolina, voted unanimously June 27 to accept the applications of three Negro students for the first grade at an all-white school. This would be the first desegregation in the 3,500-student school system. The board unanimously rejected nine Negroes' applications for transfer to the all-white junior high.

## In Southern States

The News & Observer, Raleigh, N.C. Sun. 6/7/60

# School Closing Laws Vary

p. 2

ATLANTA (AP) — The eyes of the South will be trained on Georgia next January when the legislature has to decide whether to alter its segregation laws or face closure of the public schools.

Federal Judge Frank Hooper has given the legislature "one last chance" to approve a pupil placement plan submitted by the Atlanta Board on Education. Judge Hooper has ordered the plan be put into effect for the 1961 school year applying to the 11th and 12th grades.

14d(1)

Georgia law provides that state funds will be cut off to any school district which mixes white and Negro children in classrooms. Another act empowers the governor to close only the integrated school and the school from which the integrating students come.

School closing laws vary widely among Southern states.

Here is a summary of such laws:

North Carolina — Local school boards, county or city, assign students. If integration occurs, parents have three choices: 1, accept it. 2, Request state funds to send their children to private schools. 3. Hold an election within the school district on whether to operate the school on an integrated basis, or close it.

South Carolina—State funds will be cut off to any school ordered to integrate and to the school from which the integrating student comes. No elections are required and the closing would not affect any other schools. There is a long process of appeal required of any pupil seeking transfer before he can seek remedy in federal courts.

Florida—The only school-closing statute would shut down automatically any school if federal troops were sent there. The governor also has extraordinary police power to close any public facility in case of violence. However, this police power is of long standing and not designed specifically as a segregation measure.

Louisiana—The governor is authorized to order closed any individual school forced by federal orders to integrate, once the [illegible] sets a specific date. The governor also is empowered to reopen that school within a reasonable time, under police powers of the state, as a segregated school.

Virginia — There are no state laws requiring closure of schools in event of integration. The state constitution does not require a locality to operate public schools. This is how Prince Edward County was allowed to close its public schools entirely, simply by declining to appropriate local funds for schools. No election was required.

Mississippi — The constitution authorizes the legislature to close any or all schools for any reason. State law authorities the governor and school boards to close any schools.

Alabama—Local school boards are authorized to close schools if violence or disorder threatens. No election is required, but the board must have a public hearing. Another law allows parents of schools threatened with integration to withdraw from the city or county school board and form an independent district. This must have the approval of voters in a special referendum. No law specifically empowers the governor to close schools, but Gov. John Patterson has said repeatedly he will do it if necessary to prevent integration. He has never said how.

# Teachers And Segregation

The Durham News

A *New York Herald Tribune* story by its education editor reports that a Maroneck, N. Y., history teacher, one Walter Ludwig, is out to gum up the works at the annual National Education Association meeting which begins in Los Angeles June 26.

Durham, Sun.

The organization has 700,000 members and is supposed to formulate policies representing the collective opinions of that many professionals. We find the idea that there could be anything like even near unanimity among so many impossible to accept.

Letters, 6-16-60

In addition to the organization's 700,000, there are 30,000 Negro teaching affiliates in 13 Southern states; they belong to the American Teachers Association but work with NEA.

1 col 10

What Teacher Ludwig wants to do this time is what he has tried before in 1958 and 1959: Put the NEA on record as espousnig integration of all Negro schools and working for it. Ludwig bemoans the fact that among some 1,000 NEA publications in the six years since the Supreme Court decision, not one has been devoted to the matter of integration.

He laments further that on NEA programs, speakers are selected who will skirt the subject.

This year Professor Ludwig already is armed with resolutions which will very likely cause considerable floor fighting. It is, of course, dead certain that Southern teachers in vast majority will oppose the organization's going on the record as recommending integration and teacher advocacy of it.

But the organization has elected in past years to say very little about the subject. In 1959 a resolution was accepted urging an approach to integration in a "spirit of fair play" at the state and local levels only. In short, NEA waved vaguely at the matter but pulled its hand back right quickly.

The issue is potentially explosive because it involves myriad factors which teachers themselves know and understand all too well. These include, of course, conditions which can vary widely from school to school or district to district. Teachers in vast majority probably firmly believe that the professional organization ought not to try to tell individuals or local teacher bodies what to do on so sensitive a subject. It is noted that even in 1959, the watered down resolution was given only two "nay" votes by the New York delegation—a clear display of unwillingness to muddy up the water.

If NEA is smart, and we suspect on this it is and will be, it will continue an arm's length approach to the matter.

# Injunctive Relief In Desegregating Schools Sought

The Christian Science Monitor Boston, Mass.

By the Associated Press

**Kiamesha Lake, N.Y.**

Congress was urged here June 8 to pass legislation that would give the Justice Department the right to seek "injunctive relief" in school desegregation cases.

A resolution to that effect was one of a series on the subject of race relations adopted by the closing session of the three-day 108th annual Convention of District One of B'nai B'rith.

The convention was attended by 2,000 delegates representing 150,000 in New York, New England, and eastern Canada.

In presenting the resolution on injunctive relief, Judge David A. Rose of Boston, a past president of the district and national vice-chairman of the Antidefamation League, urged that Congress grant the Attorney General the right to seek court injunctions in order to facilitate "orderly procedures for the enforcement of the desegregation decision of the United States Supreme Court."

# Will Louisiana get away with this one?

NEW ORLEANS, La. — The State of Louisiana defied the authority of the United States last week as it ordered the New Orleans Parish School Board not to comply with the federal court direction to desegregate its school this fall. Thus, Louisiana attempt to establish the doctrine of interposition — long since discredited.

The desegregation order came from U.S. District Judge J. Skelly Wright. He said school integration should begin in New Orleans in September, on the first grade level. Pupils all over the city, not just those named in the suit, would be affected by the order.

The State, led by Attorney General Jack Gremillion, went to Louisiana Civil District Judge Oliver P. Carriere seeking a temporary injunction to keep the school board from complying with the federal order.

Judge Carriere issued the injunction after a brief hearing on Friday. Attorney General Gremillion represented the state. He was opposed in form only by attorneys for the Parish County School board, who did not argue the case but merely stipulated the facts.

JUDGE CARRIERE had earlier in the week refused to issue a restraining order to prevent compliance with the federal court order. In reversing his earlier position, somewhat, Judge Carriere finds himself in the position of placing his court on a higher level than the federal court.

The state contended that the board should be enjoined from compliance, because it had no authority to change the segregated nature of any public school in the state. Such.

Therefore, when Arlington exercised its option to admit the colored pupils, the placement board respected the option and authorized the transfers.

Under the assignments students will be admitted to Stratford Junior High School which, last year, was the first area school to be desegregated. Two students will go to Thomas Jefferson Junior High School which has had no colored pupils.

Two more will go to Washington-Lee High School and one to formerly all-white Patrick Henry Elementary School. Three more applications for transfer received no recommendation either way from the school board. Of the three, two seek to enter Clay Elementary School — presently attended only by white students, and one for Stratford.

School board chairman Barnard Joy said that these applications "clearly fell within the criteria which led us not to oppose the other nine."

Last year, 23 colored pupils were enrolled in formerly all-white schools.

* * *

IN NEARBY Fairfax County, the Council on Human Relations criticised a grade-a-year desegregation plan proposed by the school board. The plan was devised by the county in answer to a Federal Court order for the board to announce its intentions on school desegregation.

The Council on Human Relations said the grade-a-year plan "seems to be based on the erroneous assumption that the citizens of Fairfax County are opposed to desegregation of the schools and want their public officials to forestall desegregation as long as possible and by every conceivable legalistic stratagem.

"This, we firmly believe, is not true."

The board's plan called for only three colored children to be admitted to the first and second grades of two schools this fall.

Otto L. Tucker, attorney for 30 colored students seeking admission to desegregated schools, said his clients probably will oppose the plan at a Sept. 8 court hearing. This hearing, however, is two days after school opens.

authority rests with the legislature, the state contended.

THE STATE COURT injunction came just a few days before the August 10 hearing in federal court, seeking to enjoin the state from seeking such an injunction.

A. P. Tureaud, attorney, who has been fighting the New Orleans segregation case since 1952, told the AFRO that on Thursday he added the names of the governor and the attorney general of the state as parties to the injunction suit.

Despite the outcome of the state court injunction hearing Friday, the federal court "anti-injunction" hearing will still be held Aug. 10. If the school officials do not follow Judge Wright's order to desegregate in the fall, they will be liable to contempt proceedings.

If the governor and attorney general are enjoined from trying to block the fall desegregation, they could also be held in contempt if they persisted in their efforts.

* * *

THIS ATTEMPT to establish "states' rights" as being superior to federal law is similar to the notorious attempt of Arkansas' Gov. Orval Faubus who, in 1956, called out his state National Guard to keep the "Little Rock Nine" from entering Central High School.

Gov. Faubus, in the face of United States troops and the federalization of the National Guard, later said he called on the Guard only to maintain order in the face of threatened disorder.

The doctrine of Interposition was resurrected shortly after the 1954 Supreme Court decision, when southern states desperately cast about for means of evading it. The doctrine, however, has failed of sanction by even the Supreme Courts of some of the southern states involved.

* * *

IN ARLINGTON, VA., the Virginia Pupil Placement Board, created in 1956 as a means of preventing school integration, found itself in the position last week of aiding the integration process.

The board approved the assignment of 12 colored pupils to schools here, that two years ago, were attended only by white pupils. The assignment was made by the Arlington school board when it decided not to oppose the requests for transfer made by the pupils.

The placement board, in accordance with state law, passed on the transfer requests after they were processed by the local school board.

* * *

FORMERLY, THIS was a device to stymie the transfer of colored pupils to other than all-colored schools. State policy, however, has changed to permit local option on school desegregation. The state law requiring the placement board to okay transfers has not, however, been repealed.

# Arlington mixes 4th school

ARLINGTON, Va. — The Arlington School Board has decided to admit nine colored pupils to white or desegregated schools this fall.

In papers filed in the Alexandria Federal Court the Board said it would also admit another colored pupil to a special "sight-saving" class at Page Elementary School "when there is a vacancy."

Applications of 21 other colored pupils were rejected — 11 for academic reasons, eight because the Board said the applicants sought entry into a non-existent kindergarten class at Patrick Henry School, and one because he is not eligible to enter the grade he applied for at Washington - Lee High School, the Board, in effect, permitted the desegregation of one more Arlington school already desegregated.

Arlington's school system was first desegregated in February, 1959, when four colored pupils entered Stratford Junior High under Federal court order. This year 23 more colored pupils attended desegregated school in Arlington.

* * *

IN MIAMI, FLA., the Dade County School Board, by unanimous vote, has ordered token integration of two schools in North Miami Beach.

The Board voted 4-0 to admit a colored girl to Fulford Elementary school and her sister to North Miami Beach Junior High. The girls are Barbara and Rosetta Pearson, who live in the suburban area.

Fulford will become the third elementary school in Florida to be desegregated, all of them in Dade County.

Without giving reasons, the Board denied requests of 12 other colored pupils seeking admission to white schools.

* * *

IN NEW ORLEANS, the Tulane University Senate Friday called on Governor Davis to endorse and actively support "free uninterrupted public education" in New Orleans and the state of Louisiana.

The Senate is composed of the deans and directors of the Univesity's ten colleges and schools, two faculty representatives and the president of the University, who serves as ex-officio chairman of the Senate.

The Senate warned against "even a temporary suspension" of public education, and said it would mean "the spread of actual illiteracy; the migration of our gifted youth to more secure environments; the loss of good teachers who might never return. . . ."

The Louisiana Senate recently approved a bill giving the governor power to close integrated public sschools.

At Baton Rouge, Gov. Jimmy Davis and Attorney General Jack Gremillion assured the people of New Orleans that their public schools would remain open on a segregated basis for the coming school year.

A federal court has ordered integration at the first grade level starting with the fall term.

In Little Rock, Ark., the Little Rock School Board began hearings on requests of school reassignments. Among the first to be heard was DeLois Crenchaw, granddaughter of the Rev. J. C. Crenchaw, president of the Little Rock NAACP chapter. DeLois applied for a transfer from Horace Mann High School to Central High School.

She lives with her grandparents in Little Rock during the school year, but this summer is visiting her father, Milton Crenshaw, a civilian flight instructor at Fort Rucker, Ala.

DeLois did not appear before the board, but the Rev. Mr. Crenchaw made the appeal for her.

In Georgia, the Fulton County Grand Jury recommended that separate high schools should be used for boys and girls if Atlanta's public schools are desegregated. A federal judge has ordered Atlanta to begin integrating its school system by September, 1961.

# Deep South Still Opposed To Any 'Token' Integration

The Montgomery Advertiser, Montgomery, Ala.

Jan. 1-10-60

**Editor's Note—In the sixth year after the Supreme Court struck down segregation in public schools the Deep South remains adamant in resistance. Here's a first hand report on the integration picture by a newsman who toured the region to interview many officials and citizens on both sides.**

By JIM THOMASSON
Associated Press Staff Writer

Despite the examples of Little Rock and Virginia, the Deep South at this time is still not ready to accept any public school integration—token or otherwise—and likely would close schools to prevent it.

In some of the five still wholly segregated states, integration is not even considered a serious possibility in the near future.

In the others, there is increasing realization that the time draws nearer when a hard choice may be faced: accept integration or close the public schools.

Determination to resist as long as possible and yield only under overwhelming pressure is widespread.

That's the picture unfolded on a fact-finding trip through the South in the sixth school term after the 1954 Supreme Court ruling outlawing public school segregation.

While islands of integration have arisen in other Southern states, Alabama, Georgia, Louisiana, Mississipi and South Carolina still have no racially mixed classes in their public school systems.

All five states are committed to opposing desegregation.

One Georgia official conceded recently that the emerging pattern would be this: Where Negroes push hard for integration, there will be the utmost legal resistance, followed by federal court orders for integration, then school closings—and ultimately re-opening in compliance with the court order in response to public pressures.

That generally has been the way it has gone in Little Rock and Virginia.

**USE OF TROOPS**

The Arkansas city experienced violence, use of federal troops, closed schools and private schools before accepting integration.

Virginia's "massive resistance" program collapsed and it experimented with private schools before adopting a freedom of choice plan. Under it, some schools have integrated; In Prince Edward County, on the other hand, public schools were closed and private schools were opened for white children.

Georgia also has laws requiring closing of integrated schools and providing for private schools. It may be the next state to face a showdown on massive resistance.

The Atlanta School Board, under federal court order, has filed a pupil placement desegregation plan which conflicts with state law. Unless the 1960 Legislature changes the act, Atlanta faces at least some closed schools next fall.

Gov. Ernest Vandiver campaigned on a promise to uphold segregation. He says his position is unchanged.

If allowed to decide for itself, Atlanta might accept integration to the extent necessary. But the Georgia Legislature is dominated by small, rural counties, and a legislator from one of the larger counties reported, "All the members with whom I have talked, say, 'hell no, we're not voing to let them integrate in Atlanta'."

Atlanta leaders have threatened that if the city's schools are forced to close by loss of state funds, a suit will be filed to prohibit grant of state funds to segregated schools as well.

Since the state pays about 70 per cent of the cost of public schools, that would affect every school system in Georgia. Except in Savannah and Atlanta, the problem of integration is largely academic in most of Georgia.

**PARTIAL INTEGRATION**

The same, generally, is true in the other wholly segregated states, as well as in some of the still segregated sections of states which have accepted partial integration.

Executive Secretary, Roy Wilkins of the National Assn. for the Advancement of Colored People says the NAACP "is far from satisfied with the present rate of desegregation."

"We are not satisfied with token desegregation," he adds. "We shall continue to press for full compliance at an accelerated pace."

The Deep South states, Wilkins says, "have not made a beginning, yet still are asking for more time. The Negro has been more than patient."

South Carolina's Clarendon County, one of the school systems involved in the 1954 Supreme Court decision, has made no move to comply, although Wilkins in a recent speech there said integration would be pressed. The state generally remains convinced that no successful integration effort is probable for many years. South Carolina also has laws for utting off substantial state aid and closing any integrated schools.

**ALABAMA PLAN**

Alabama abolished its school segregation laws and adopted a placement plan which has withstood a federal court test. Several integration attempts by Negro students have been rejected, and recent polls have disclosed strong sentiment to close schools rather than integrate. That attitude is not quite so positive in the northern part of the state where the Negro population is smaller.

Mississippi has just elected a new governor pledged to abolish public schools if necessary to prevent desegregation. Persons familiar with the state say no integration is likely there for many years.

The process of integration has been very similar in most of the states which have accepted it. Generally, it has been ordered by courts, has not been very substantial, and has been confined to bigger population centers or areas with relatively few Negroes. The push for integration has been somewhat slower in rural areas with large Negro populations.

In Arkansas, eight school systems in the western part of the state have integrated—some before Little Rock. The only controversy now pending involves the Dollarway School District in southwest Arkansas.

About 100 of Texas' 1,646 districts have mixed classes. State law now prohibits integration without a favorable ballot by district voters. In recent elections, two districts have approved and two rejected it. Only Fort Worth, Dallas, Houston and Galveston are currently under pressure for integration.

Nashville is inaugurating a stair step integration program, but in Memphis and West Tennessee there is no integration pressure.

Florida desegregated one school in Miami and it has become predominantly Negro.

**NORTH CAROLINA LAW**

North Carolina, always moderate on the issue, was the first to adopt a pupil assignment law and under it has accomplished integration in most of the urban centers.

In contrast to most other Southern states, integration largely has been voluntary.

More Virginia areas are reluctantly accepting integration, but in the state's southern section there is a wait-and-see attitude, with a great deal of reluctance even to discuss the matter.

Similar reluctance was noted in other areas of the South, quite in contrast to the angry shouts of defiance that once resounded throughout Dixie.

Reasons for that attitude vary. "The less you stir it up, the less it stinks," said a Louisiana labor leader. An Albany, Ga., mother said "We don't have any trouble here and are getting along fine, so why talk about it anymore."

**'TALKING LESS'**

In a Virginia city facing integration, a civic leader said "People are talking less today than a year ago. This may or may not be dangerous."

Silence virtually is the official state policy in South Carolina. Gov. E. F. Hollings has ceased commenting on the ground that his views are well known. Farley Smith, executive director of the South Carolina Citizens Council, reported the policy of that group is to work quietly at strengthening resistance to integration without any extremist outbursts.

Interviews in many parts of the south, primarily with parents, PTA leaders and educators, disclose that while some expect the day to come when the choice must be made between integrating or closing public schools, others just as firmly think they can preserve segregated public schools, at least in their own areas.

**'NOT TOLERATED'**

A Birmingham, Ala., PTA leader said a recent poll of parents by the city school board showed 99 per cent would "not tolerate" integration.

In Savannah, Ga., where the city-county school board is under integration pressure, a PTA leader said, "It leaves us in a dilemma. The PTA position is for open schools, but in talking with my people, I don't believe they would let their children go to school with Negroes."

An Anniston, Ala., attorney said: "I guess it's probable that one or two schools in Alabama may be integrated successfully, but I don't think they'll ever be able to do it in Anniston without trouble."

Some want the schools to stay open.

**ATLANTA SENTIMENT**

In Atlanta, there is substantial sentiment for accepting what integration is necessary to preserve public schools. This is the official position of the city administration.

In Alabama, Louis Eckl, editor of the Florence Times, declared, "The vast majority of people in Florence—both white and Negro—prefer segregation, but they believe if it comes down to a choice, the public school must be maintained."

In Savannah, the League of Women Voters is urging that schools be kept open. Two Augusta, Ga. PTA presidents, conceded that bitterly as they oppose integration, they would accept it to keep schools operating.

"I believe the solid mass of our people place too high a value on universal education to accept the alternative," said a Virginia school board member.

**'HAVE TO FACE IT'**

A P-TA leader in a rural Tennessee community with a large Negro population also thinks integration inevitable. "We will have to face it sooner or later," she said. "And if it doesn't come to a head too soon, we can work it out."

But there are voices to the contrary.

A PTA president in Missisiippi, asked if she thought integration inevitable, said "I can think of only one word with which to answer your question. And that word is "no."

"It is not inevitable," said a Tuscaloosa, Ala., father. "Integration can serve no useful purpose except to give a pat on the head to our friends up North."

A South Georgia civic leader commented: "In our country, Negroes have better schools than we do. They'd never try to integrate with us. We'd have to integrate with them to have any integration."

Commenting on the general attitude of Southern Negroes, a Tennessee Negro school principal said "The Negro views integration with some confusion. He is frustrated and apprehensive. You train a person a certain way and it's hard to untrain him.

# DEEP SOUTH FIRM ON SEGREGATION

## Survey Shows Five States Ready to Close Schools to Ban Integration

Despite the examples of Little Rock and Virginia, the Deep South at this time is still not ready to accept any public school integration — token or otherwise — and likely would close schools to prevent it.

In some of the five still wholly segregated states, integration is not even considered a serious possibility in the sixth year after the Supreme Court's ruling barring segregated schools.

In the others, there is increasing realization that the time draws nearer when a hard choice may be faced: accept integration or close the public schools.

Determination to resist as long as possible and yield only under overwhelming pressure is widespread.

That's the picture unfolded on a fact-finding survey of the South, according to the Associated Press.

### 5 States Lag on Integration

While islands of integration have arisen in all other Southern states, Alabama, Georgia, Louisiana, Mississippi and South Carolina still have no racially mixed classes in their public school systems.

One Georgia official, who asked anonymity, conceded recently that the emerging pattern would be this: where Negroes push hard for integration, there will be the utmost legal resistance, followed by Federal Court orders for integration, then school closings—and ultimately, re-opening in compliance with the court order in response to public pressures.

That generally has been the way it has gone.

Little Rock experienced violence, use of Federal troops, closed schools and private schools before accepting integration.

Virginia's "massive resistance" program collapsed and it experimented with private schools before adopting a freedom of choice plan. Under it, some schools have integrated; in Prince Edward County, on the other hand, public schools were closed and private schools opened for white children.

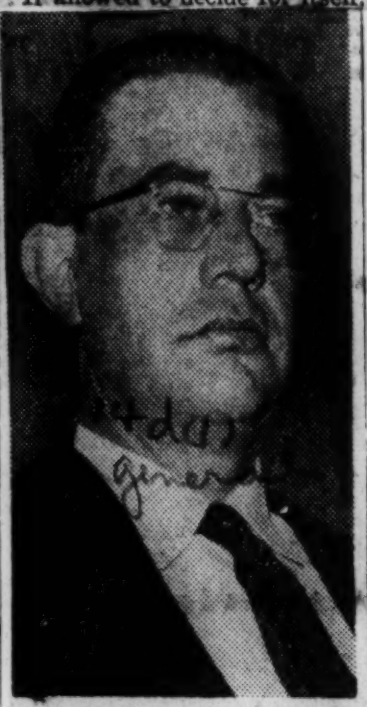
### Georgia Facing Test

Georgia also has laws requiring closing of integrated schools and providing for private schools. It may be the next state to face a showdown.

The Atlanta school board, under Federal Court order, has filed a pupil placement desegregation plan which conflicts with state law. Unless the 1960 Legislature changes the act, Atlanta faces at least some closed schools next fall.

Gov. Ernest Vandiver campaigned on a promise to uphold segregation. He says his position is unchanged.

If allowed to decide for itself, Atlanta might accept integration to the extent necessary. But the Georgia Legislature is dominated by rural counties, a legislator reported, "all the members with whom I have talked, say 'Hell, no! We're not going to let them integrate in Atlanta.'"



Associated Press

**SEGREGATIONIST: Gov. Ernest Vandiver of Georgia.**

Atlanta leaders have threatened that if the city's schools are forced to close by loss of state funds, a suit will be filed to prohibit grant of state funds to segregated schools as well.

### Could Cripple Schools

Since the state pays about 70 per cent of the cost of public schools, that would affect every school system in Georgia.

Surveying the situation, Roy Wilkins, executive secretary of the National Association for the Advancement of Colored People, says the organization "is far from satisfied with the present rate of desegregation."

"We are not satisfied with token desegregation," he said. "We shall continue to press for full compliance at an accelerated pace. We shall utilize every legal, political and persuasive tool at our command."

The Deep South states, Mr. Wilkins says, "have not made a beginning, yet still are asking for more time. The Negro has been more than patient."

South Carolina's Clarendon County, one of the school systems involved in the 1954 Supreme Court decision, has made no move to comply, although Mr. Wilkins in a recent speech there said integration would be pressed.

The state generally remains convinced that no successful integration effort is probable for many years. South Carolina also has laws for cutting off substantial state aid and closing any integrated schools.

Alabama abolished its school segregation laws and adopted a placement plan which has withstood a Federal court test. Several integration attempts by Negro students have been rejected, and recent polls have disclosed strong sentiment to close schools rather than integrate. That attitude is not quite so positive in the northern part of the state where the Negro population is smaller.

Mississippi has just elected a new Governor pledged to abolish public schools if necessary to prevent desegregation. Persons familiar with the state say no integration is likely there for many years.

In Arkansas, eight school systems in the western part of the state have integrated—some before Little Rock.

About 100 of Texas' 1,646 districts have mixed classes. State low now prohibits integration withoupt a favorable ballot by district voters. In recent elections, two districts have approved and two rejected it. Only systems in Fort Worth, Dallas, Houston and Galveston are currently under pressure for integration.

### 'Stairstep Integration' Plan

Nashville is inaugurating a stairstep integration program, but in Memphis and west Tennessee there is no integration pressure.

Florida desegregated one school in Miami and it has become predominantly Negro.

North Carolina, always moderate on the issue, was the first to adopt a pupil assignment law and under it has accomplished integration in most of the urban centers. In contrast to most other Southern states, integration largely has been voluntary.

More Virginia areas are reluctantly accepting integration, but in the state's southern section there is a wait-and-see attitude, with a great deal of reluctance even to discuss the matter.

Similar reluctance, incidentally, was noted in other areas of the South, quite in contrast to the angry shouts of defiance that once resounded throughout Dixie.

Reasons for that attitude vary. "The less you stir it up, the less it stinks," said a Louisiana labor leader. An Albany (Ga.) mother said "we don't have any trouble here and are getting along fine, so why talk about it anymore."

In a Virginia city facing integration, a civic leader said "people are talking less today than a year ago. This may or may not be dangerous."

Silence virtually is the official state policy in South Carolina. Gov. E. F. Hollings has ceased commenting on the ground that his views are well known and no useful purpose would be served by further comment. Farley Smith, executive director of the South Carolina Citizens Council, reported the policy of that group is to work quietly at strengthening resistance to integration without any extremist outbursts.

Interviews in many parts of the South, primarily with parents, P. T. A. leaders and educators, disclose that while some expect the day to come when the choice must be made between integrating or closing public schools, others just as firmly think they can preserve segregated public schools, at least in their own areas.

In the fully segregated states comments indicated that, reluctantly, schools would be closed to prevent mixed classes.

A P. T. A. leader in a rural Tennessee community with a large Negro population also thinks integration inevitable. "We will have to face it sooner or later," she said, "and if it doesn't come to a head too soon, we can work it out."

# INTEGRATION: PACE SLOWS IN THE SOUTH

## Six Years After Supreme Court Decision There Is Still a Hard Core of Resistance by Whites

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, May 18 — The lines have been drawn in New Orleans for the first test of school desegregation in the Deep South. In a brief order to education officials there last Monday, Federal District Judge J. Skelly Wright called for an end to discrimination on the first grade level in September. This will be only the initial step, he said later, in the grade-a-year desegregation of all classrooms.

His was the second such directive in as many weeks to strike at the five states that have yet to yield to the Federal Courts on the issue — South Carolina, Georgia, Alabama, Mississippi and Louisiana. The first was handed down by Judge Frank A. Hooper. He set a 1961 deadline for the beginning of desegregation in Atlanta.

Judge Wright's order came almost six years to the day after the Supreme Court held that the separate but equal formula it had previously applied to public education must be scrapped and five years after it had ordered compliance "with all deliberate speed."

### 17-State Survey

A survey of the seventeen states and the District of Columbia affected by that decision shows just how deliberate that speed has been. According to statistics compiled by the Southern Education Reporting Service, only 6 per cent of the South's Negro students attend classes with whites. This has led officials of the National Association for the Advancement of Colored People to point out that 1 per cent a year is slow progress indeed.

The greatest advances have come in the border state area. There Negroes make up only a small fraction of the population. The percentage enrolled in school with whites in Washington, D. C., is 82, in West Virginia 50, Delaware 44, Missouri 43, Kentucky 28, Oklahoma 26 and Maryland 22.

Moving South into an area of heavier Negro population, the number in desegregated schools drops sharply to a range of from .01 to 1 per cent in the six states that ring the Deep South.

In this group, Tennessee has a total of 169 Negroes in school with whites, Arkansas ninety-eight, Virginia 103, North Carolina thirty-four and Florida 512. The Florida total includes 490 children enrolled in a Miami elementary school that lists only eight white pupils.

Behind the snail's pace of desegregation lie a number of complex factors. The burden of bringing legal pressure for compliance falls on the Negro. Moreover, suits must be filed on a district-by-district basis. A prime deterrent is the use of various pupil placement regulations to screen out all but a handful of Negro applicants.

Some parents undoubtedly have been discouraged by the prospect of leading their children through a maze of administrative red tape toward a classroom where their reception will be cool at best.

Other parents have held back through fear of economic and physical reprisal. Still others actually prefer all-Negro schools, at least for the present. Their reasoning, in some cases, is based on the sometimes insurmountable scholastic difficulties encountered in the white schools by Negro students who have been receiving inferior instruction.

### Legal Action

In an effort to speed desegregation, the National Association for the Advancement of Colored People has brought a number of additional suits. And its lawyers are pressing for action on cases that have been languishing in the courts.

One new suit is aimed at Clarendon County, S. C., target of one of the five original cases involved in the Supreme Court's 1954 decision. In the only other case left over from that ruling, a Federal District Court has ordered an end to discrimination in Prince Edward County, Va. The order has produced no mixed classes, however, because the county closed all of its schools last year to prevent integration.

The N. A. A. C. P. also is opening a campaign for more Negro applications to white schools. This will include an educational program to inform parents of their legal rights and procedures to be followed in exercising them.

The increased activity of the association and similar groups is spurred by pressure from their restless followers. Across the South, there is a renewed desire among Negroes to shake off all vestiges of segregation. Much of the impetus has come from the youth. This is evident in the lunch-counter demonstrations.

Some students of race relations have contended that a "new Negro" is emerging from the deep social and economic changes now convulsing the region. Leaders of the race say this is true. An example of the Negro's own feeling is seen in the lyrics of a song often sung by the student demonstrators to the tune of "The Old Gray Mare":

"The ol' Negro just ain't what he usta be * * * darn sight better now."

The determination of the race to obtain equal status has been underscored repeatedly. "Nobody from the top of Heaven to the bottom of Hell can stop the march to freedom," declared a Baptist minister, the Rev. William Holmes Borders, to a group of Atlanta students this week. "Everybody in the world today might as well make up their minds to march with freedom or freedom is going to march over them."

There are no indications that Southern whites as a whole will willingly grant these new demands at anything like the pace desired by the Negroes, the courts and the rest of the nation. This is particularly true of desegregation in the Deep South. While the six years that have passed since the Supreme Court's original decision have convinced many whites of the inevitability of the process, most remain unswayed as to its desirability.

The depth of the opposition was made strikingly clear in the result of a poll conducted by the Orleans Parish (County) School Board just prior to Judge Wright's order. White parents voted by a 6-1 margin to abolish public education rather than accept even token desegregation.

### Blocking Action

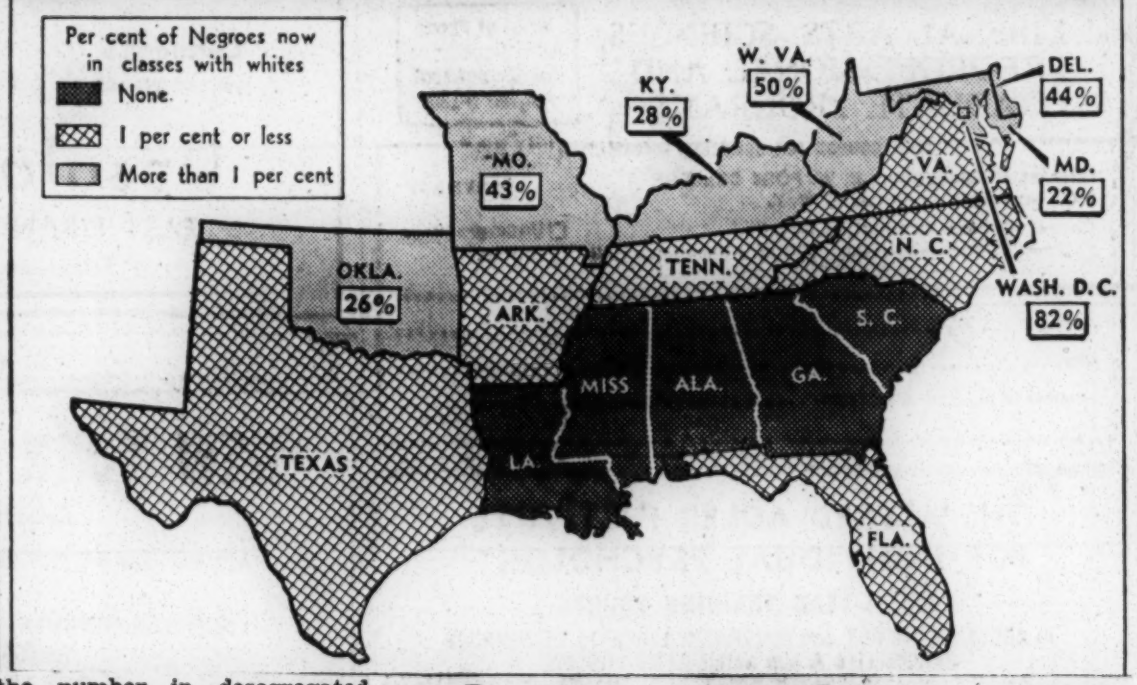
The trend in those states that have made the initial step towards compliance appears to lie in the direction of continued gradual desegregation. But as long as the whites retain control of the economic and political system, and no change appears in the offing, they will employ every scheme and device conceivable to hold desegregation to a minimum.

It is doubtful that the clock will be turned back to massive resistance in the mid-South, however. An old-guard wing in Virginia tried to do so in a recent legislative session and failed. It did exact some political retribution on other matters from Governor J. Lindsay Almond Jr., who had led the fight for a freedom-of-choice policy.

However, in these states the outlook for progress is dim in areas where Negroes make up a substantial portion of the population. Some may yet follow Prince Edward County in scuttling their education system.

The confident predictions that the Deep South would go along with Virginia's retreat from bitter-end opposition have not been fulfilled. A number of qualified observers now contend that in the larger cities and those acceptance of limited desegregation will come only after the schools have been closed.

### PROGRESS OF SCHOOL INTEGRATION IN THE SOUTH



Doyle in The Philadelphia Daily News

"Holdout."

# The Facts About School Integration

*By Charles Clay.*

I. Beverly Lake, who is claiming credit for the State's pupil assignment law in his segregationist bid for Governor, told the United States Supreme Court five years ago that Negroes could attend school with whites under the law he drafted.

At that time, Lake was assistant attorney general and, in his own words, was submitting the pupil assignment law "to refute the suggestion that the Southern states are doing nothing and would do nothing, with additional time," to comply with the May, 1954 desegregation ruling.

As a candidate for Governor, Lake has ranged the State berating the State's "moderate" approach to the school problem, the keystone of which is the assignment law.

In an argument before the nation's highest court on April 13, 1955, Lake said this had happened in North Carolina:

"This legislature . . . passed a bill, and it is now the law, that each county or city administrative board is the sole authority in the assignment of children to the schools of that area.

"Now, because I drafted that bill, the legislature, when it was in session, asked me did that mean that a county, if it saw fit to do so, could admit Negro children to white schools. I told them that it certainly did mean that. The legislature passed that bill."

Lake was talking then of what was to be the backbone of North Caro- desegregation rulings.

Since the enactment of the assignment law in 1955, the State also has adopted "safety valve" legislation providing for the closing of a school by a vote of the people and for tuition grants to children who object to attending an integrated school. It is intended to backstop the assignment law.

This legislation, in which Lake had no part, plus the assignment act has come to be known in the gubernatorial campaign as the North Carolina Plan. It is being studied or copied by several other Southern states as the best plan yet devised to head off massive integration and provide a token measure of compliance with the law.

Only a few weeks ago, a State of Georgia legislative study commission recommended the consideration of a school plan almost identical to that of North Carolina, including the basic assignment act and the safety valve features.

People in South Carolina, which has school segregation legislation on its books that has been ruled unconstitutional in other states, also have expressed an interest in the North Carolina plan.

Virginia's "massive resistance" blew up in her face and that commonwealth has taken the position that some integration is inevitable if the schools are to remain open.

These and other things have made Lake's avowed segregationist campaign a confusing one to the public.

In the first place, the principle of local assignment of pupils was conceived and in use in some places outside the South without reference to the race problem long before the May, 1954 desegregation rulings.

Its essential purpose in the South in the school crisis is to head off possible statewide integration orders from the federal courts, orders that could bring mass integration if State officials and agencies were made parties to integration lawsuits.

The State has avoided this so far.

Secondly, a group of North Carolina leaders mapped out the North Carolina assignment law while Lake's job, as assistant attorney general, was merely to draft it.

Thirdly, the assignment law which Lake has taken much credit for in his campaign speeches is the law under which token integration has taken place in North Carolina schools. The "safety valve" legislation has never been operative, so it can't be blamed for anything so far.

Lake has said the assignment law is a good law and that he would make no changes in it. He has also said that if elected, he would advise local school units to obey a school desegregation order if it comes.

Hence while Lake has said he'd try to eliminate the small amount of integration that has taken place in North Carolina, he finds no fault with the legal machinery under which it took place and he would not defy a court integration order which the State so far has escaped.

At the same time, he has mounted attack after attack on the so-called "moderates" who are inseparable from the North Carolina Plan which Lake himself would not change.

As has been pointed out on several occasions, more integration has taken place in several states which sought to defy the courts than in North Carolina, where less than 40 Negro children attend school with well over a million whites.

Lake opened himself to charges that he would invite school closings, court-ordered integration and federal troops with his plan for creating "a climate of public opinion" against token integration and hence against the North Carolina Plan.

Since calling a run-off primary with front-running Terry Sanford a few days ago, Lake has said that he has been falsely branded as a man who would close the public schools.

However, as late as November, 1958 in a speech before the North Carolina State Bar, Lake said that "rather than operate them as seed beds for 'scandal and disturbance' we must close them and educate our children by other means. . . ."

Lake, a constitutional lawyer and former Wake Forest College law professor, also has campaigned on the theme that the desegregation decisions are not the "law of the land."

He has done this despite the fact that the Supreme Court is the court of last resort in the interpretation of the Constitution. At one of his news conferences here, Lake conceded that there is little if any chance of the court reversing itself on the rulings or of the court being reversed th constitutional amendment.

North Carolina was the first of several Southern states to enact into law the pupil assignment act which has become a top issue in the gubernatorial campaign this year.

It went into effect March 3, 1955 and was amended in the special "Pearsall Plan" session of the Legislature in 1956 to make it more workable and to improve its language.

On May, 30, 1955, Florida enacted an assignment law essentially the same as North Carolina's and Alabama's went into effect August 2, 1955.

Georgia Attorney General Eugene Cook has requested and received from North Carolina copies of this State's laws, along with information on how much integration has taken place under them.

As was mentioned earlier, a Georgia study group has recommended a school plan there almost identical with the North Carolina Plan but Georgia has yet to act upon it.

Since the assignment laws were enacted and upheld by the courts as constitutional, they have been improved and strengthened in several states as well as in North Carolina.

In Arkansas, which for a time was synonymous with school integration violence because Governor Faubus brought in federal troops by trying to defy a court integration order, a pupil assignment law patterned after Alabama's was adopted March 30, 1959.

There are some who think that if Arkansas had had "safety valve" laws similar to those adopted by North Carolina, the violence at Little Rock might have been averted.

From an overall standpoint, Virginia's new "Freedom of Choice" plan is like the North Carolina Plan in that it leaves it up to local communities to integrate or close their schools in the face of a court order.

Virginia's plan also provides for scholarships for students whose schools are closed.

South Carolina has abandoned its program of "total resistance" and adopted a system which as a practical matter could operate somewhat like the North Carolina Plan.

In South Carolina, school funds are controlled by a board which includes the governor and several other State officials and legislators. In the event a school is ordered integrated, the board would withhold funds to that particular school. Presumably the board would take into consideration the wishes of the community itself before closing a school.

Under the threat of a court integration order in Atlanta, Georgia presumably will consider replacing its law providing for automatic closing of an integrated school with the local option approach.

Florida has no law closing the schools in event of integration while the governor has authority in Louisiana and Alabama to order a school shut down in event of an integration order.

Virtually all the evidence shows that the trend in the South has been toward local option as the best solution to the public school problem.

## 5 States Mix No Schools After 6 Years

NASHVILLE, Tenn. — The sixth anniversary of the U. S. Supreme Court's school desegregation decision occurs this month with six per cent of the South's Negro students attending schools with whites, Southern School News reported in its May issue.

As the end of the sixth school year approaches, complete segregation is maintained in five of these states: Alabama, Georgia, Louisiana, Mississippi and South Carolina.

The other 12 states and the District of Columbia have 182,- [illegible] attending classes with whites. Out of the region's total of 3,039,133 Negro students, 524,425 of them attend school in districts that have desegration in practice or principle.

## Gradualism in Integration

### Clamor for Immediate Reform in South Is Questioned

TO THE EDITOR OF THE NEW YORK TIMES:

There are valid arguments on the side of Southerners in their fight against desegregation. As reflected in their letters to The Times, however, they seem to be missing most of them.

The one really reasonable argument the South can raise is the fact that it took 100 years, a huge amount of Communist propaganda and its resultant effects on world opinion, national crises both here and in Africa and, finally, the uprising of the Negro himself before the American public took up the clamor for desegregation; and now we seem to expect immediate reform in the South.

This much is certain: Northerners are not guiltless in the present conflict and will have to be patient in its resolution.

But the Southerners throw their weakest arguments at us. It should be obvious by now that we won't accept the idea of white superiority, especially when we have the backing of anthropologists (not to mention world opinion). Their frequent protests of such superiority serve only to intensify our intransigence in the matter.

More recently, as illustrated by the letter of Dr. James Hall, they've assured us there's a terrible prospect of intermarriage and that "in a few generations" we will be a race of mulattoes.

We have two answers to this. First, if intermarriage between blacks and whites has hardly begun in the "liberal" North in 100 years, it won't begin in the South for a thousand; and if it does, so what?

The anthropologist can demonstrate convincingly the lack of inherent basis for social differentiation among races; thus the mulatto can hold his head as high as the most aristocratic white. Who knows, he might become a better citizen than both his black and his white brothers, for, thank goodness, he can have little prejudice against either.

GREGORY BARNES.

Vienna, April 13, 1960.

# In Six Years, Six Per Cent School Integration

## Only 182,104 of 3 million are mixed

P. 19 Baltimore, Md.
The Afro American
Sat. 4-16-60

ATLANTA, Ga.—At the snail's pace rate of public school desegregation in the South, it will be 94 years before full integration of colored and white pupils will be achieved.

This prediction is based on statistics provided by the Southern School News which show that in the six years since May 1954 when the United States Supreme Court outlawed jim crow public schools, only six percent of the colored school pupils have been integrated.

There are, according to the latest count, 524,425 colored pupils in integrated school districts. Actually, however, only 182,104 colored children attend classes with whites.

14 d (1) General

**THOUGH THE** statistics of the past predict a very dark future for school integration, observers feel confident that pupil integration will be achieved far in advance of the schedule indicated by past statistics.

The 17 southern and border states, plus the District of Columbia, have 3,039,133 colored pupils and 9,901,310 whites enrolled.

A survey by Southern School News found the status of segregation-desegregation in the region to be this way;

The District of Columbia and West Virginia have complete integration in their school systems.

Six other states have substantial integration, five hace partial integration and the remaining five maintain complete segregation.

* * *

**SOME 77** per cent of the colored students are enrolled in the schools of the states with the least desegregation—the five with partial integration and five with complete segregation.

The District of Columbia, which has a current enrollment of 90,403 Negroes and 27,481 whites, adopted complete integration in 1954.

The District still has 21 all-colored schools, with an enrollment of 16,161. Three schools are all-white.

All of West Virginia's 24,010 colored students are in integrated school districts. An estimated 12,000 colored pupils attend schools with whites.

* * *

**THE SIX STATES** with substantial integration are Delaware Kentucky, Maryland, Missouri, Oklahoma and Texas. Here are the Negro enrollments for these states:

| | Colored Pupils Enrolled | In Integrated districts | In Schools With Whites |
|---|---|---|---|
| Delaware | 14,277 | 7,576 | 6,328 |
| Kentucky | 42,778 | 32,000 | 12,000 |
| Maryland | 126,678* | 118,500 | 28,072 |
| Missouri | 82,000* | 74,480 | 35,000 |
| Oklahoma | 39,405 | 30,000 | 10,246 |
| Texas | 279,374* | 33,000 | 3,300 |

(*Estimated)

Several border states have discontinued listing students by race and the racial statistics must be estimated.

Five states — Arkansas, Florida, Georgia, North Carolina, Tennessee and Virginia — have a combined colored enrollment of almost on million. Desegrgation in these states has resulted in 916 Negroes ntering formerly all-white schools.

North Carolina colored enrollment of 302,000 ranks the second highest of any southern or border state. Thirty-four colored pupils attend formerly all-white schools in the Tar Heel state — the lowest number of any desegregating.

The colored enrollment figures for the five partially integrated states are:

| | Colored Pupils Enrolled | In Integrated Districts | In Schools With Whites |
|---|---|---|---|
| Arkansas | 104,205 | 9,750 | 98 |
| Florida | 192,093 | 25,881 | 512 |
| North Carolina | 302,060 | 43,506 | 34 |
| Tennessee | 146,700 | 13,576 | 169 |
| Virginia | 203,229 | 21,743 | 103 |

The five Deep South states with complete segregation—Alabama, Georgia, Louisiana, Mississippi and South Carolina — have a total colored enrollment of 1,391,921, representing 46 per cent of the region's total. Georgia has the largest colored enrollment of any southern or border state: 310,753.

* * *

## Boards mix schools in South

The Afro-Am
Baltimore, Md.
Sat. 7-9-60

CHARLOTTESVILLE, Va.—Ten colored pupils were assigned to previously all - white schools last week as desegregation inched forward in the sixth year since the Supreme Court school ruling.

The Chapel Hill School Board assigned three first graders to Estes Hill Elementary School, breaking racial barriers in one more North Carolina city. Assigned to the new suburban school were Ralph Harris Jr., 5; Patricia Ann Burnett, 6, and Shelia Karen Barden, 6. All three live near the school.

In Charlottesville, Va., the school board approved the assignment of seven colored pupils to white or predominantly white schools, and turned down 11 other transfer applications. All of the applicants had appealed from previous assignments.

**IN CHAPEL HILL,** the school board acted unanimously on a permissive, planned approach to ending racial segregation in its public schools.

The school board vote rejected applications of nine colored pupils for transfer to the Chapel Hill Junior High School.

Chapel Hill, home of the University of North Carolina, will join seven other communities in the state which have begun limited school desegregation.

They are Greesboro, Durham, Winston Salem, Charlotte, High Point, Goldsboro and Havelock.

In Richmond, Va. the United States Fourth Court of Appeals on Tuesday affirmed a Norfolk District Court's ruling that the Virginia Pupil Placement Board functions in an unconstitutional manner. The opinion upholds the trial court's admission of four colored children to predominantly white schools in Norfolk.

The court's two - page opinion cites "the long - established principle that one need not exhaust futile administrative remedies."

* * *

**IN ANOTHER EDUCATION** move, Gov. J. Lindsay Almond appointed seven Virginians who will run the new State Education Assistance Authority. Main purpose of the authority is to make more funds available so young Virginians can obtain bank credit to finance a college education. The authority is to guarantee loans to students by private financial institutions up to 80 per cent of the amount borrowed.

In Farmville, Va., the Prince Edward County Board of Supervisors earmarked $270,000 for the education of white and colored children through county tuition grants. The children are to be trained in segregated schools.

Public schools in this rural southside Virginia county were closed last year by the supervisors to avert court - ordered school desegregation.

## Suits Are Filed In Federal Court

The Commercial Appeal

### Negroes Seek Desegregation Of Public Schools In Three States

Memphis Tenn.

By United Press International

NASHVILLE, July 2. — Negroes, in three new Federal law suits filed in June, are seeking to desegregate public schools for the first time in Birmingham, Ala., Volusia County, Fla., and Caswell County, N. C., Southern School News reported in its July issue.

7-3-60

The Birmingham action represents the only litigation attacking segregated schools in that state, according to the monthly publication of Southern Education Reporting Service.

13

Mississippi has become the only state that maintains complete segregation in its school system and does not have a suit seeking to change the situation.

14 d (1)

**Appeal Filed**

The Orleans Parish School Board, facing a Federal Court order to desegregate the New Orleans public schools beginning Sept. 6, has appealed to Louisiana Gov. Jimmie H. Davis to use the doctrine of interposition to keep the schools open on a segregated basis.

The Houston, Texas, School Board is awaiting a decision by United States District Judge Ben C. Connally on the undisclosed desegregation plan it has submitted to the court. The Negro plaintiffs are seeking to enter the white schools at the start of the school year in September.

The new Alabama suit entered on June 17 charges that the pupil assignment law, previously upheld by the United States Supreme Court, is "inadequate to provide relief."

A suit in Federal Court at Jacksonville, Fla., was filed in behalf of 39 Negro students from Volusia County (Daytona Beach). NAACP attorneys said it was the most extensive school suit ever filed in the nation. The petition concerns not only pupils but also assignment of teachers and administrative personnel and budgeting of school funds.

Forty-four Negroes seek desegregation of Caswell County, N. C., schools. Since the suit was filed, seven of the students have requested transfers to the county's white schools.

**Negroes Accepted**

The school board at Chapel Hill, home of the University of North Carolina, voted unanimously June 27 to accept the applications of three Negro students for the first grade at an all-white school. This would be the first desegregation in the 3,500-student school system. The board unanimously rejected nine Negroes' applications for transfer to the all-white junior high.

State by state, the major school developments in June were:

Alabama—The State Board of Education ordered Dr. Lawrence D. Reddick expelled as a faculty member at Alabama State College for Negroes after Gov. John Patterson branded him an agitator and communist sympathizer.

Arkansas—At Little Rock, 39 junior high and 35 senior high Negro students asked assignment to white or integrated schools next fall.

Delaware—The Delaware House of Rep three million dollars for construction at three million dollars for construction at 15 Negro schools.

District of Columbia—Southern Democrats and conservative Republicans on the House Rules Committee joined to block efforts to send a Federal school construction aid bill to a Senate-House conference.

Florida—Legal action continued to dominate the school segregation picture in Volusia County, Palm Beach and Pensacola.

Georgia—The State Bar Association president called for repeal of all of Georgia's segregation laws, causing widespread comment and bringing varied reaction from lawyers.

Kentucky—Gov. Bert Combs named nine persons, including one Negro, to the newly created Commission on Public Education.

Louisiana—The United States Fifth Circuit Court of Appeals turned down the Orleans Parish School Board's request for a stay of a lower court's desegregation order.

Maryland—White and Negro teacher associations in Anne Arundel County merged as plans were set for desegregation to advance another grade there and in four other Maryland counties.

Mississippi—Fourteen new laws stemming from the United States Supreme Court's 1954 school decision were placed on the Mississippi statute books during the recent legislature.

Missouri—The St. Louis board of education inaugurated a crash program in remedial reading and spelling for 2,000 elementary school children.

Tennessee—The Chattanooga Board of Education cited the possibility of the state's "intense resistance" in its power suit.

Texas—Attorneys for Negro applicants gave notice of appeal from United States District Judge T. W. Davidson's ruling that Dallas should begin school desegregation in 1961 on a deeper" plan.

Virginia—The NAACP moved to force the reopening of Prince Edward County's

Former State School Supt. W. W. Trent, who helped chart the state's public schools but further hearing was delayed. Virginia—Former age of 82.

# SOUTH FACES TEST IN SCHOOLS FIGHT

N. Y. Times

## New Orleans Desegregation Ruling Sparks a Crisis—Election Adds Pressure

Sun., 8-21-60

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Aug. 20 — The deep South faces new steps toward desegregation of its public schools this fall under the complex pressures of a Presidential election year.

The area's response, according to the Southern Regional Council, may well affect both the election and the future pace of desegregation elsewhere.

The council, which is made up of white and Negro leaders in the South, released a study today of progress in the field since 1954, when the Supreme Court issued its decision on desegregation. The study also treated the outlook for this fall.

Its report noted that, after an initial surge of compliance in the border states, "desegregation has been a campaign fought by laws and lawyers over the careers of a few amazingly stanch Negro children.

As a result of a Federal court order directing New Orleans' schools to begin desegregation in September, the council said, "the deep South at last faces the demand that it comply with the law."

The outcome of that test will have far-reaching implications, the organization contended.

"Perhaps the truth has been," it said, "that desegregation cannot move more rapidly in the upper South, cannot break from the courtroom and be assumed as a community responsibility, while the deep South is uncompromising.

"When desegregation breaches the deep South the myth of Southern ability to defy the law will have been fatally punctured; the consequence could be an emotional release in the upper South that would enable desegregation to move without the lash of law."

The report conceded the possibility of a serious controversy.

"If, on the other hand," it said, "the imminent crisis in New Orleans is not overcome, or even if New Orleans treads the bitter path of Little Rock between 1957 and 1959, the prospects will be gloomy for the South and for national self respect."

### Closure Expected

The closing of New Orleans' schools was termed likely barring a retreat from the court's order. If Gov. Jimmie H. Davis does not extend the closure throughout the state, said the council, the Federal courts "almost certainly will."

Furthermore, the council asserted there was danger of riots and other violence because of the climate of Louisiana politics. It then said:

"A serious crisis in New Orleans, especially if prolonged and violent, would almost force the Presidential candidates to state what they would do about it if in office, and would surely involve the present national Administration. The attendant controversy would be an omnipresent issue of the Presidential campaign."

Another city confronting the challenge of desegregation for the first time is Houston, Tex.

"If the New Orleans defense of segregation has been characterized by conflict and passion," the Southern Regional Council commented, "that of Houston has been marred by ingenious procrastination."

The Houston School Board submitted a plan that would have designated for the whole city one elementary, one junior high and one high school for children who "wanted" to attend integrated classes. The Federal District Court rejected this as "palpable sham and subterfuge."

Under Texas law, school desegregation without an affirmative vote by the electorate would result in the cutting off of state aid. Voters have turned down desegregation, 29,418 for to 57,958 against. Unless the Fifth Circuit Court of Appeals decides differently, the city's schools will be desegregated or closed in September.

A third city, Knoxville, Tenn., will begin a stair-step plan of desegregation when its schools open Aug. 31. The process will start at the first-grade level and proceed at a rate of one [illegible] a year.

In its report, the council said that what happens in Florida "may have more basic effect on school desegregation throughout the South than will the events of any other area, even New Orleans."

The key to the situation is a suit involving Daytona Beach. Attorneys for the National Association for the Advancement of Colored People have described the action as the most comprehensive yet. They have said it will serve as a model for future proceedings.

The plaintiffs ask the court to enjoin further operation of the segregated school system and to require that the county submit a plan for the complete reorganization of the school system on a nonracial basis. This would mean that pupils, teachers, administrative personnel and other employes would be assigned without regard to race. Other suits are pending at Pensacola, Miami, Palm Beach and Tampa.

The board of the Dollarway School District at Pine Bluff, Ark., has opened the way for desegregation by assigning one Negro girl to an all-white school. The council noted that the history of conflict there "would suggest another challenge to law and order" in the state of Gov. Orval E. Faubus.

There is no prospect of immediate desegregation in four states—South Carolina, Georgia, Alabama and Mississippi. Elsewhere in the South, statistics of the Southern Education Reporting Service show that no more than 4,200 Negro children attended schools with whites last year.

This token compliance, according to the council, was a factor in the Negro sit-in movement against racial barriers at lunch counters.

"The sit-ins succeeded, if nothing else had, in causing white Southerners to see Negro Southerners as individuals," the report observed. "This is, after all, the crux also of the case for desegregation of schools: that the Negro child be regarded and treated as an individual. What so many dime stores have acknowledged is what the lawsuits have asked, and still ask, the school systems to practice."

### Closings Held Unwise

Special to The New York Times.

CHAPEL HILL, N. C., Aug. 20—School closing is not an acceptable answer to the problem of desegregation, according to a study made at Norfolk, Va., for the University of North Carolina.

Results of the study, made available today, show that private schools and makeshift facilities were unable to provide adequate education when the city's schools were closed in 1958. Some students never completed their education and the families of others underwent financial strain. Other serious social problems arose.

# New School Year Presents Fresh Tests Of Integration

Jackson Daily News, p. 3

Jackson, Miss.

By AL KUETTNER

ATLANTA (UPI — Classroom desegregation will spread further into the South in September, but a major new showdown looms in the running conflict between federal and state authority in school operations.

Sun., 9-1-60

Knoxville, Tenn., Houston, Tex., and four more cities in Virginia are scheduled to integrate classes for the first time.

This is the seventh September school opening since the historic 1954 Supreme Court school decision. The new points of desegregation will bring to more than 750 the number of school districts that have dropped racial policies in 17 states and the District of Columbia since the high court ruling.

The path toward full compliance with the Supreme Court mandate is still paved with litigration, however. Legislatures of 15 states have adopted more than 250 new laws designed to prevent or control desegregation. The controversy has produced at least 200 court cases of which approximately 50 still are pending.

Gov. Jimmie H. Davis, elected recently to succeed Gov. Earl Long, seized the New Orleans schools and ordered them opened Sept. 7 on segregated basis. That is one day ahead of the opening—on a desegregated basis—ordered by a federal court.

A group of New Orleans taxpayers has filed suit in federal court asking for a year's' postponement of desegregation. Should the request be rejected, the suit asks that Davis be enjoined from interfering with the federal mandate and that the state be restrained from enforcement of segregation laws.

Louisiana sources forecast that Davis might turn to pupil placement as means of keeping schools in New Orleans open and segregated.

### FOURTH TENNESSEE CITY

Knoxville becomes the fourth Tennessee city to lift racial barriers, following nearby Clinton and Oak Ridge and the capital city of Nashville.

Knoxville schools open Aug. 31 with the first grades desegregated. This is a so-called stair-step plan similar to that used in Nashville where desegregation reaches the fourth grade this year.

Eighty - three Negroes will be eligible to attend previously all-white Knoxville schools. Negro attorneys, who object that the grade-a-year plan is too slow, have not taken appeal action.

In Virginia, Roanoke, Richmond, Pulaski and Fairfax are due to start integration for the first time. They join Norfolk, Arlington, Alexandria, Front Royal, Charlottesville and the schools of Floyd County which have bowed to desegregation pressures during the past two years.

Under Virginia's freedom of choice law, Prince Edward County plans to resume private classes for 1,500 white pupils for the second year. Negroes are operating 10 training centers for 650 Negro children. An NAACP-sponsored suit is pending seeking to force the county to re - open public schools.

The new school term arrives with four states still in the all-out segregation camp. They are Alabama, Georgia, Mississippi and South Carolina.

Schools of Atlanta, Ga. have been ordered desegregated but the effective date has been postponed until September 1961.

14d(1) 1960 GENERAL

# Says Segregated Schools Hurt Whites As Well As Negroes

Chicago Defender P. II Sat. Oct. 22-28-1960

NEW YORK A racially segregated education is harmful and inferior for whites as well as for Negro children.

This is reported by Dr. Kenneth B. Clark, associate professor of psychology at City College in New York in a four-article symposium on desegregation progress since the 1954 Supreme Court decision. The articles are in the October issue of the Teachers College Record, professional journal of Teachers College, Columbia university.

Dr. Clark is immediate past president of the Society for the Psychological Study of Social Issues. He is credited with a major roll in bringing to the attention of the Supreme Court the views of behavioral scientists as a factor in the court's desegrigation decision. In his article, he analyzes the predic ions of the social sciences in desegregation.

**OTHER ARTICLES**

In the other articles, desegregation is discussed by a southern political scientist and historian; by the Superintendent of Schools of Washington, D. C. on desegregation in his city, and by the acting president of the Hampton Institute, on desegregation in higher education.

Up to now, it has been believed that desegregation primarily benefits Negro children, who have "obviously been the chief victims of the more flagrant inequities in a system of segregated education." Dr. Clark declares.

"It is not true, however, that white children will be harmed or will not benefit from desegregated schools. Segregated education is inferior and non-adaptive for whites as well as Negroes.

**DEMOCRATIC EDUCATION**

"No child can receive a democratic education in a non-democratic school. A white youngster in a homogenous, isolated, 'hot house' type of school situation is not being prepared for the realities of the contempor ary and future world.

"Such a child may have brilliant college-entrance scores, be extraordinary in his mathematical ability or read and speak a foreign language with skill and precision. But he is likely to be blocked in many circumstances in his ability to use these intellectual abilities with the poise and effectiveness essential to personal and social creativity."

Dr. Clark holds that racially segregated schools "impose up on white children the inevitable provincialism, irrational fears and hatreds of people who are different, and a distorted image of themselves Psychologically, the racially segregated school at this period of American and world history is an anachronism which our nation cannot afford," he notes.

**HELP PUBLIC UNDERSTAND**

Social scientists, as citizens and professionals, can help the public understand the difference between desegregation and integration — and there is a difference, Dr. Clark declares.

"Desegregation is the social, political, legal, judicial, administrative or community process by which racial barriers to the enjoyment of full and equal civil rights are removed. It can be and usually is, brought about by laws and governmental authority.

"Integration, as a subjective and individual process involves changes in attitudes and the removal of fears, hatreds suspicions, stereotype ad superstitions. It involves problems of personal choice, personal readiness and personal stability.

**REQUIRES TIME**

"Its achievment necessarily requires a longer period of time. It cannot come about overnight. It requires education and deals poignantly with the problems of changing men's hearts and minds. It cannot be coerced by law or government authority."

Psychologists and educators can help the public to understand there can be no integration before desegregation.

Physical changes, such as desegregation, must occur before people will change their feelings and attitudes — there is no known case of the opposite holding true, Dr. Clark reports

**SOUTHERNS VIEWPOINT**

A Southern educator's view point on desegregation is offered by Dr. William G. Carleton, political scientist and historian on the faculty of the University of Florida at Gainesville. The title of his article is "Negro Rights in the South Making Haste Slowly."

Dr. Carleton contends that, "from the point of view of social justice, the changes (in desegregation) have been painfully slow and spotty; but from the point of view of white Southern cultural attitudes, the change have been unbelievably swift."

"The plain truth is that traditional Southern attitudes are being quarantined, isolated and more and more confined to a diminishing core of resistance in the planter states of the Old South."

**IMPORTANT FORCE**

"The Southern Negro himself is the "most important immediate force at work to emancipate the Negro of the South," Dr. Carleton states.

"Increasingly he is depending less on Northern Negro initiative and leadership and is supplying his own."

In the next ten years, the most significant segregation gains are likely to be in the private sector of the economy — in stores, filling stations, laundromats, and lunch counters, and then in some restaurants, bars, hotels, and motels in metropolitan areas.

**WIDER FRONTS**

"These gains are likely to help desegregation in the public sector," Dr. Carleton states, "for segregationists have feared along with concern about school integration itself, that desegregation in schools would lead the way to desegregation over wider fronts.

"But if desegregation over these wider fronts makes gains in spite of delaying tactics used in schools, then an important consideration for keeping the schools segregated will already be on its way out anyway," he added.

Desegregation in Washington, D. C., public schools has brought a "dynamic quality to the subsequent educational program," according to Dr. Carl Hansen, the city's superintendent.

# School Enrollment Takes Sharp Jump In Southeast

The News + Courier Pg 1-B
Charleston, S. C.
Date: 12-12-60

School enrollment increased by one and a quarter million pupils in the Southeast in the past 10 years.

This was the fourth largest regional rise in the United States and with all of the seven states of Alabama, Florida, Georgia, Mississippi, Tennessee and the Carolinas comprising the region sharing in varying degrees in the advance, the Charleston field office of the U. S. Department of Commerce reported.

Enrollment this year in the seven-state area reached a record 5,665,228, or 1,251,146 more than in 1950, with North Carolina recording 1,104,266, the nation's eighth greatest; Florida, 935,599, 11th largest; Georgia, 927,187, 12th from the top; Tennessee, 789,870, Alabama, 766,915, South Carolina, 594,245, and Mississippi, 547,146.

For Florida, this enrollment meant an increase since 1950 of 485,763 pupils, seventh greatest expansion in the country; North Carolina, 219,533, 13th largest; Georgia, 209,150, 15th from the leader; Tennessee, 130,085; South Carolina, 100,060; Alabama, 86,949; and Mississippi, 19,706.

Administering the school operations in the Southeast this year were 972 school systems, which generally consisted of those of an independent nature, and those lacking the autonomy to be classified as independent of governmental action.

Contrary to the situation in most states, Paul Quattlebaum Jr., department field manager said, a rise in school systems has taken place in the Southeast over the past decade.

Only eight states in the nation reported more school systems this year than in the 1951-52 school year, and five of those are in the Southeast, including Alabama, Georgia, Tennessee and the two Carolinas.

Alabama had 114 this year, six more than in 1951-52; Georgia, 197, an increase of 10; North Carolina, 174, two more; South Carolina, 109, a gain of 60; and Tennessee, 153, or three more. Florida, which had 67, experienced no change in number, and Mississippi's 158 this year reflected a drop of 17 in the decade.

In enrollment, the Southeast's 5.6 million odd pupils this year was the nation's third largest number, exceeding that of all other areas except the 6.8 million in the East North Central states of Ohio, Indiana, Illinois, Michigan and Wisconsin, and the 5.7 million in the Middle Atlantic region of New York, New Jersey and Pennsylvania.

The increase of 1,251,146 in the Southeast was outnumbered only in the East North Central, Middle Atlantic, and Pacific Coast areas.

Outstanding among all states was the advancement in the past 10 years in enrollment in Florida, going from 24th position in 1950 to this year's 11th place. North Carolina held to eighth rank during the decade, but the other Southeastern states dropped two or more places in rank.

# School Mixing Quiet For South

The Commercial Appeal

## Desegregation Is Without Violence For First Time Since 1954

Memphis, Tenn.

Special to The Commercial Appeal

NASHVILLE, Oct. 5. — This year, for the first time since the 1954 school desegregation decision by the United States Supreme Court, the South's public schools opened without violence.

Thurs. 10-6-60 p. 23

Major violence, ranging from boycotts and mob action to bombings, had marked the school openings in the region for the previous six years.

Southern School News correspondents reported no racial incidents during the first month of the new session in the 768 desegregated school districts. Seventeen of the districts for the first time admitted Negroes to formerly all-white classes, the paper's October issue said.

**Largest In U. S.**

The nation's largest segregated school system, Houston, Texas, admitted 11 Negroes to predominantly white classes under a plan ordered by Federal courts. The change left Dallas as the nation's largest dual school system.

Two other Texas districts, Friendship and Fredericksburg, desegregated voluntarily following local elections on the question.

Virginia had five districts to desegregate, the most that any state reported. The new desegregation in Fairfax County, Grayson County-Galax, Pulaski County, Richmond and Roanoke raised to 205 the number of Negroes attending schools with whites.

Dollarway this year became Arkansas' 10th desegregated school district in the state's first peaceful school opening since September, 1956.

**Two In Delaware**

At least two additional Delaware districts admitted Negroes to previously all-white schools. State officials did not know if more districts than Seaford and Newport desegregated for the first time.

Two Oklahoma districts, Wewoka and Sapulpa, desegregated voluntarily, chiefly for financial reasons, as they had announced previously.

Raleigh and Chapel Hill, N.C., opened their first desegregated classes. Yancey County has until Oct. 13 to desegregate its high schools. It would be the state's 10th desegregated district and the first in North Carolina under a court order.

In Tennessee two additional districts, Knoxville and surrounding Knox County, announced desegregation plans. However, no Negroes applied in the county schools. Davidson County schools, in suburban Nashville, have until Oct. 19 to file a desegregation plan with Federal Court.

In New Orleans, Louisiana officials took no further action to intervene as four of the five members of the Orleans Parish school board planned to desegregate the public schools Nov. 14 under Federal Court order.

**19 New Districts**

Last year, Southern Education Reporting Service recorded 19 new districts admitting Negroes with whites during the first month of school.

According to the best estimates available this early in the school year, the 17-state region has 6,676 districts, 2,834 of them bi-racial. The enrollment includes about 10,123,554 whites and 3,095,345 Negroes.

Approximately 183,104 Negroes are attending schools with whites this session, as compared to the 181,020 reported last spring. The 768 districts with some degree of desegregation have almost three million whites and about 600,000 Negroes enrolled.

State-by-state, the other major developments reported on school segregation - desegregation for last month were:

ALABAMA — Schools opened with no new cases reported of Negroes seeking to enter white schools.

ARKANSAS — The Arkansas Educational Association of white teachers took a stand against proposed Constitutional Amendment 52.

DISTRICT OF COLUMBIA— Arthur S. Fleming, secretary of health, education and welfare, sharply criticized the continued closing of Prince Edward County, Va., schools to avoid desegregation.

FLORIDA — Florida opened the school year with some school desegregation from the first grade to the university levels.

**Negroes On Board**

KENTUCKY — Two Negroes were included in the 11 appointees to the new statewide Commission on Human Rights.

LOUISIANA — New Orleans public schools, ordered to desegregate by Nov. 14, opened with a sharp drop in white enrollment.

Mississippi — State officials authorized additional facilities at Negro colleges in the wake of the largest enrollment in history.

SOUTH CAROLINA — A new school desegregation suit was filed in Federal Court, this one involving Marion County.

TENNESSEE — Nashville began its fourth year under the court-approved grade-a-year desegregation plan.

TEXAS — The United States Fifth Circuit Court of Appeals set Nov. 15 to review the appeal by Dallas Negroes on the "salt-and-pepper" desegregation plan ordered for 1961.

VIRGINIA — A United States district judge threw out Fairfax County's grade-a-year plan and ordered 19 more Negroes admitted immediately.

WEST VIRGINIA — West Virginia's public schools and colleges opened without any reported racial incidents.

# Violence Missing As Schools Open

Atlanta Daily World

Atlanta (3) Ga

NASHVILLE, Tenn.—This year, for the first time since the 1954 school desegregation decision by the U.S. Supreme Court, the South's public schools opened without violence.

Thurs. 10-6-60 p. 17

Major violence, ranging from boycotts and mob action to bombings, had marked the school openings in the region for the previous six years.

SOUTHERN SCHOOL NEWS correspondents reported no racial incidents during the first month of the new session in the 768 desegregated school districts. Seventeen of the districts for the first time admitted Negroes to formerly all-white classes ,the paper's October issue said.

Southern Education Reporting Service publishes SOUTHERN SCHOOL NEWS monthly, giving state-by-state reports on school segregation - desegregation developments.

The nation's largest segregated school system, Houston, Tex. admitted 11 Negroes to predominantly white classes under a plan ordered by federal courts. The change left Dallas as the nation's largest dual school system.

Two other Texas districts, Frenship and Fredericksburg, desegregated voluntarily following local elections on the question.

**MORE VIRGINIA DESEGREGATION**

Virginia had five districts to desegregate, the most that any state reported. The new desegregation in Fairfax County, Grayson County - Galax, Pulaski County, Richmond and Roanoke raised to 205 the number of Negroes attending schools with whites.

Dollarway this year became Arkansas's tenth desegregated school district in the state's first peaceful school opening since September 1956.

p. 8

At least two additional Delaware districts admitted Negroes to previously all-white schools. State officials did not know if more districts than Seaford and Newport desegregated for the first time.

Atlanta Daily World

Two Oklahoma districts, Wewoka and Sapulpa, desegregated voluntarily, chiefly for financial reasons, as they had announced previously.

Thurs. 10-6-60

Raleigh and Chapel Hill, N. C., opened their first desegregated classes. Yancey County has until Oct 13 to desegregate its high schools. It would be the state's tenth desegregated district and the first in North Carolina under a court order.

In Tennessee two additional districts, Knoxville and surrounding Knox County, announced desegregation plans. However, no Negroes applied in the county schools. Davidson County schools, in suburban Nashville, have until Oct. 19 to file a desegregation plan with federal court.

In New Orleans, Louisiana official took no further action to intervene as four of the five members of the Orleans Parish school board planned to desegregate the public schools Nov. 14 under federal court order.

Last year, Southern Education Reporting Service recorded 19 new districts admitting Negroes with whites during the first month of school.

According to the best estimates available this early in the school year, the 17 -state region has 6,676 districts, 2,834 of them bi-racial. The enrollment includes about 10,123,554 whites and 3,095,345 Negroes.

Approximately 183,104 Negroes are attending schools with whites this session, as compared to the 181,020 reported last spring. The 768 districts with some degree of desegregation have almost three million whites and about 600,000 Negroes enrolled.

# Deep South Still Opposed To Any 'Token' Integration

The Montgomery Advertiser, Journal

Montgomery, Ala.

**Editor's Note—In the sixth year after the Supreme Court struck down segregation in public schools the Deep South remains adamant in resistance. Here's a first hand report on the integration picture by a reporter who toured the region to interview many officials and citizens on both sides.**

By JIM THOMASSON
Associated Press Staff Writer

Despite the examples of Little Rock and Virginia, the Deep South at this time is still not ready to accept any public school integration—token or otherwise—and likely would close schools to prevent it.

In some of the five still wholly segregated states, integration is not even considered a serious possibility in the near future.

In the others, there is increasing realization that the time draws nearer when a hard choice may be faced: accept integration or close the public schools.

Determination to resist as long as possible and yield only under overwhelming pressure is widespread.

That's the picture unfolded on a fact-finding trip through the South in the sixth school term after the 1954 Supreme Court ruling outlawing public school segregation.

While islands of integration have arisen in other Southern states, Alabama, Georgia, Louisiana, Mississipi and South Carolina still have no racially mixed classes in their public school systems.

All five states are committed to opposing desegregation.

One Georgia official conceded recently that the emerging pattern would be this: Where Negroes push hard for integration, there will be the utmost legal resistance, followed by federal court orders for integration, then school closings—and ultimately re-opening in compliance with the court order in response to public pressures.

That generally has been the way it has gone in Little Rock and Virginia.

**USE OF TROOPS**

The Arkansas city experienced violence, use of federal troops, closed schools and private schools before accepting integration.

Virginia's "massive resistance" program collapsed and it experimented with private schools before adopting a freedom of choice plan. Under it, some schools have integrated; In Prince Edward County, on the other hand, public schools were closed and private schools were opened for white children.

Georgia also has laws requiring closing of integrated schools and providing for private schools. It may be the next state to face a showdown on massive resistance.

The Atlanta School Board, under federal court order, has filed a pupil placement desegregation plan which conflicts with state law. Unless the 1960 Legislature changes the act, Atlanta faces at least some closed schools next fall.

Gov. Ernest Vandiver campaigned on a promise to uphold segregation. He says his position is unchanged.

If allowed to decide for itself, Atlanta might accept integration to the extent necessary. But the Georgia Legislature is dominated by small, rural counties, and a legislator from one of the larger counties reported, "All the members with whom I have talked, say, 'hell no, we're not voing to let them integrate in Atlanta'."

Atlanta leaders have threatened that if the city's schools are forced to close by loss of state funds, a suit will be filed to prohibit grant of state funds to segregated schools as well.

Since the state pays about 70 per cent of the cost of public schools, that would affect every school system in Georgia. Except in Savannah and Atlanta, the problem of integration is largely academic in most of Georgia.

**PARTIAL INTEGRATION**

The same, generally, is true in the other wholly segregated states, as well as in some of the still segregated sections of states which have accepted partial integration.

Executive Secretary Roy Wilkins of the National Assn. for the Advancement of Colored People says the NAACP "is far from satisfied with the present rate of desegregation.

"We are not satisfied with token desegregation," he adds. "We shall continue to press for full compliance at an accelerated pace."

The Deep South states, Wilkins says, "have not made a beginning, yet still are asking for more time. The Negro has been more than patient."

South Carolina's Clarendon County, one of the school systems involved in the 1954 Supreme Court decision, has made no move to comply, although Wilkins in a recent speech there said integration would be pressed. The state generally remains convinced that no successful integration effort is probable for many years. South Carolina also has laws for cutting off substantial state aid and closing any integrated schools.

**ALABAMA PLAN**

Alabama abolished its school segregation laws and adopted a placement plan which has withstood a federal court test. Several integration attempts by Negro students have been rejected, and recent polls have disclosed strong sentiment to close schools rather than integrate. That attitude is not quite so positive in the northern part of the state where the Negro population is smaller.

Mississippi has just elected a new governor pledged to abolish public schools if necessary to prevent desegregation. Persons familiar with the state say no integration is likely there for many years.

The process of integration has been very similar in most of the states which have accepted it. Generally, it has been ordered by courts, has not been very substantial, and has been confined to bigger population centers or areas with relatively few Negroes. The push for integration has been somewhat slower in rural areas with large Negro populations.

In Arkansas, eight school systems in the western part of the state have integrated—some before Little Rock. The only controversy now pending involves the Dollarway School District in southwest Arkansas.

About 100 of Texas' 1,646 districts have mixed classes. State law now prohibits integration without a favorable ballot by district voters. In recent elections, two districts have approved and two rejected it. Only Fort Worth, Dallas, Houston and Galveston are currently under pressure for integration.

Nashville is inaugurating a stair-step integration program, but in Memphis and West Tennesse there is no integration pressure.

Florida desegregated one school in Miami and it has become predominantly Negro.

**NORTH CAROLINA LAW**

North Carolina, always moderate on the issue, was the first to adopt a pupil assignment law and under it has accomplished integration in most of the urban centers. In contrast to most other Southern states, integration largely has been voluntary.

More Virginia areas are reluctantly accepting integration, but in the state's southern section there is a wait-and-see attitude, with a great deal of reluctance even to discuss the matter.

Similar reluctance was noted in other areas of the South, quite in contrast to the angry shouts of defiance that once resounded throughout Dixie.

Reasons for that attitude vary. "The less you stir it up, the less it stinks," said a Louisiana labor leader. An Albany, Ga., mother said "We don't have any trouble here and are getting along fine, so why talk about it anymore."

**'TALKING LESS'**

In a Virginia city facing integration, a civic leader said "People are talking less today than a year ago. This may or may not be dangerous."

Silence virtually is the official state policy in South Carolina. Gov. E. F. Hollings has ceased commenting on the ground that his views are well known. Farley Smith, executive director of the South Carolina Citizens Council, reported the policy of that group is to work quietly at strengthening resistance to integration without any extremist outbursts.

Interviews in many parts of the south, primarily with parents, PTA leaders and educators, disclose that while some expect the day to come when the choice must be made between integrating or closing public schools, others just as firmly think they can preserve segregated public schools, at least in their own areas.

**'NOT TOLERATED'**

A Birmingham, Ala., PTA leader said a recent poll of parents by the city school board showed 99 per cent would "not tolerate" integration.

In Savannah, Ga., where the city-county school board is under integration pressure, a PTA leader said, "It leaves us in a dilemma. The PTA position is for open schools, but in talking with my people, I don't believe they would let their children go to school with Negroes."

An Anniston, Ala., attorney said: "I guess it's probable that one or two schools in Alabama may be integrated successfully, but I don't think they'll ever be able to do it in Anniston without trouble."

Some want the schools to stay open.

**ATLANTA SENTIMENT**

In Atlanta, there is substantial sentiment for accepting what integration is necessary to preserve public schools. This is the official position of the city administration.

In Alabama, Louis Eckl, editor of the Florence Times, declared, "The vast majority of people in Florence—both white and Negro—prefer segregation, but they believe if it comes down to a choice, the public school must be maintained."

In Savannah, the League of Women Voters is urging that schools be kept open. Two Augusta, Ga. PTA presidents, conceded that bitterly as they oppose integration, they would accept it to keep schools operating.

"I believe the solid mass of our people place too high a value on universal education to accept the alternative," said a Virginia school board member.

**'HAVE TO FACE IT'**

A P-TA leader in a rural Tennessee community with a large Negro population also thinks integration inevitable. "We will have to face it sooner or later," she said. "And if it doesn't come to a head too soon, we can work it out."

But there are voices to the contrary.

A PTA president in Missisiippi, asked if she thought integration inevitable, said "I can think of only one word with which to answer your question. And that word is "no."

"It is not inevitable," said a Tuscaloosa, Ala., father. "Integration can serve no useful purpose except to give a pat on the head to our friends up North."

A South Georgia civic leader commented: "In our country, Negroes have better schools than we do. They'd never try to integrate with us. We'd have to integrate with them to have any integration."

Commenting on the general attitude of Southern Negroes, a Tennessee Negro school principal said "The Negro views integration with some confusion. He is frustrated and apprehensive. You train a person a certain way and it's hard to untrain him.

INTEGRATION PICTURE

Jackson Daily News
Jackson Miss.
Sun. 1-10-60.

# Survey Shows Deep South Not Ready For Token Mix

**Editor's Note**—In the sixth year after the Supreme Court struck down segregation in public schools the Deep South remains adamant in resistance. Here's a firsthand report on the integration picture by a newsman who toured the region to interview many officials and citizens on both sides.

By JIM THOMASSON
Associated Press Staff Writer

Despite the examples of Little Rock and Virginia, the Deep South at this time is still not ready to accept any public school integration—token or otherwise—and likely would close schools to prevent it.

In some of the five still wholly segregated states, integration is not even considered a serious possibility in the near future.

In the others, there is increasing realization that the time draws nearer when a hard choice may be faced: accept integration or close the public schools.

Determination to resist as long as possible and yield only under overwhelming pressure is widespread.

That's the picture unfolded on a fact-finding trip through the South in the sixth school term after the 1954 Supreme Court ruling outlawing public school segregation.

While islands of integration have arisen in other Southern states, Alabama, Georgia, Louisiana, Mississippi and South Carolina still have no racially mixed classes in their public school systems.

### ALL 5 COMMITTED

All five states are committed to opposing desegregation.

One Georgia official conceded recently that the emerging pattern would be this: Where Negroes push hard for integration, there will be the utmost legal resistance, followed by federal court orders for integration, then school closings—and ultimately re-opening in compliance with the court order in response to public pressures.

That generally has been the way it has gone in Little Rock and Virginia.

The Arkansas city experienced violence, use of federal troops, closed schools and private schools before accepting integration.

Virginia's "massive resistance" program collapsed and it experimented with private schools before adopting a freedom of choice plan. Under it, some schools have integrated; In Prince Edward County, on the other hand, public schools were closed and private schools were opened for white children.

Georgia also has laws requiring closing of integrated schools and providing for private schools. It may be the next state to face a showdown on massive resistance.

### ATLANTA PLAN

The Atlanta School Board, under federal court order, has filed a pupil placement desegregation plan which conflicts with state law. Unless the 1960 Legislature changes the act, Atlanta faces at least some closed schools next fall.

Gov. Ernest Vandiver campaigned on a promise to uphold segregation. He says his position is unchanged.

If allowed to decide for itself, Atlanta might accept integration to the extent necessary. But the Georgia Legislature is dominated by small, rural counties, and a legislator from one of the larger counties reported, "All the members with whom I have talked, say, 'hell no, we're not going to let them integrate in Atlanta'."

Atlanta leaders have threatened that if the city's schools are forced to close by loss of state funds, a suit will be filed to prohibit grant of state funds to segregated schools as well.

Since the state pays about 70 per cent of the cost of public schools, that would affect every school system in Georgia. Except in Savannah and Atlanta, the problem of integration is largely academic in most of Georgia.

The same, generally, is true in the other wholly segregated states, as well as in some of the still segregated sections of states which have accepted partial integration.

Executive Secretary Roy Wilkins of the National Assn. for the Advancement of Colored People says the NAACP "is far from satisfied with the present rate of desegregation.

### "NOT SATISFIED"

"We are not satisfied with token desegregation," he adds. "We shall continue to press for full compliance at an accelerated pace."

The Deep South states, Wilkins says, "have not made a beginning, yet still are asking for more time. The Negro has been more than patient."

South Carolina's Clarendon County, one of the school systems involved in the 1954 Supreme Court decision, has made no move to comply, although Wilkins in a recent speech there said integration would be pressed. The state generally remains convinced that no successful integration effort is probable for many years. South Carolina also has laws for cutting off substantial state aid and closing any integrated schools.

Alabama abolished its school segregation laws and adopted a placement plan which has withstood a federal court test. Several integration attempts by Negro students have been rejected, and recent polls have disclosed strong sentiment to close schools rather than integrate. That attitude is not quite so positive in the northern part of the state where the Negro population is smaller.

Mississippi has just elected a new governor pledged to abolish public schools if necessary to prevent desegregation. Persons familiar with the state say no integration is likely there for many years.

### PROCESS SIMILAR

The process of integration has been very similar in most of the states which have accepted it. Generally, it has been ordered by courts, has not been very substantial, and has been confined to bigger population centers or areas with relatively few Negroes. The push for integration has been somewhat slower in rural areas with large Negro populations.

In Arkansas, eight school systems in the western part of the state have integrated — some before Little Rock. The only controversy now pending involves the Dollarway School District in south.

About 100 of Texas' 1,646 districts have mixed classes. State law now prohibits integration without a favorable ballot by district voters. In recent elections, two districts have approved and two rejected it. Only Fort Worth, Dallas, Houston and Galveston are currently under pressure for integration.

Nashville is inaugurating a stair-step integration program, but in Memphis and West Tennessee there is no integration pressure.

Florida desegregated one school in Miami and it has become predominantly Negro.

North Carolina, always moderate on the issue, was the first to adopt a pupil assignment law and under it has accomplished integration in most of the urban centers. In contrast to most other Southern states, integration largely has been voluntary.

### VIRGINIA ACCEPTS

More Virginia areas are reluctantly accepting integration, but in the state's southern section there is a wait-and-see attitude, with a great deal of reluctance even to discuss the matter.

Similar reluctance was noted in other areas of the South, quite in contrast to the angry shouts of defiance that once resounded throughout Dixie.

Reasons for that attitude vary. "The less you stir it up, the less it stinks," said a Louisiana labor leader. An Albany, Ga., mother said "We don't have any trouble here and are getting along fine, so why talk about it anymore."

In a Virginia city facing integration, a civic leader said "People are talking less today than a year ago. This may or may not be dangerous."

Silence virtually is the official state policy in South Carolina. Gov. E. F. Hollings has ceased commenting on the ground that his views are well known. Farley Smith, executive director of the South Carolina Citizens Council, reported the policy of that group is to work quietly at strengthening resistance to integration without any extremist outbursts.

Interviews in many parts of the south, primarily with parents, PTA leaders and educators, disclose that while some expect the day to come when the choice must be made between integrating or closing public schools, others just as firmly think they can preserve segregated public schools, at least in their own areas.

### "NOT TOLERATE"

A Birmingham, Ala., PTA leader said a recent poll of parents by the city school board showed 99 per cent would "not tolerate" integration.

In Savannah, Ga., where the city-county school board is under integration pressure, a PTA leader said, "It leaves us in a dilemma. The PTA position is for open schools, but in talking with my people, I don't believe they would let their children go to school with Negroes."

An Anniston, Ala., attorney said; "I guess it's probable that one or two schools in Alabama may be integrated successfully, but I don't think they'll ever be able to do it in Anniston without trouble."

Some want the schools to stay open.

In Atlanta, there is substantial sentiment for accepting what integration is necessary to preserve public schools. This is the official position of the city administration.

In Alabama, Louis Eckl, editor of the Florence Times, declared, "The vast majority of people in Florence—both white and Negro—prefer segregation, but they believe if it comes down to a choice, the public school must be maintained."

### URGE SCHOOLS BE OPEN

In Savannah, the League of Women Voters is urging that the schools be kept open. Two Augusta, Ga. PTA presidents, conceded that bitterly as they oppose integration, they would accept it to keeq schools operating.

"I believe the solid mass of our people place too high a value on universal education to accept the alternative," said a Virginia school board member.

A PTA leader in a rural Tennessee community with a large Negro population also thinks integration inevitable. "We will have to face it sooner or later," she said. "And if it doesn't come to a head too soon, we can work it out."

But there are voices to the contrary.

A PTA president in Missisiippi, asked if she thought integration inevitable, said "I can think of only one word with which to answer your question. And that word is no."

"It is not inevitable," said a Tuscaloosa, Ala., father. "Integration can serve no usefuul purpose except to give a pat on the head of our friends up North."

A South Georgia civic leader commented: "In our country, Negroes have better schools than we do. They'd never try to integrate with us. We'd have to integrate with them to have any integration."

### SOUTHERN HOPE

Southerners who cling to the hope of maintaining segregated schools base it on various factors; if there must be intergration, it'll happen somewhere else; improved Negro schools will keep the situation quiet; Negroes as a whole won't press the issue for fear of losing their own schools or for fear of economic and other reprisals; belief that Negro teachers fear loss of their jobs if schools are integrated; and hope that public opinion will force the Supreme Court to back down or ease out.

Integration pressure usually is less in areas where Negro school facilities are substantially on a par with white schools. That seems to be the case, for example, in Doughert and Richmond counties, Georgia, in Augusta, Ga., and in Tennessee's Shelby County.

Throughout the South generally, the Negroe's voice in the integration controversy has been somewhat muted. Some have shown reluctance to invite difficulties by pressing the issue.

Commenting on the general attitude of Southern Negroes, a Tennessee Negro school principal said "The Negro views integration with some confusion. He is frustrated and apprehensive. You train a person a certain way and it's hard to untrain him.

"He resents being denied by law and cuustom the exercise of his rights. But he does not, for example, want to push a child into a situation where he might not be accepted."

# New tactic is applied by NAACP

GREENSBORO, N.C. — The NAACP Tuesday filed a school desegregation suit in Federal court here against the Chapel Hill, N.C., school board.

The class suit was brought by parents of Stanley B. Vickers, who seeks admission to Carrboro Elementary School. The child now attends a segregated school, Northside Elementary, at Chapel Hill.

The parents said they have tried unsuccessfully to have the child assigned to the Carrboro School, which is nearer to their home. They were turned down, appealed and were again refused.

**THE CASE PROMPTED** the resignation last year of a board member, Henry Brandis Jr., dean of the Law School of the University of North Carolina at Chapel Hill. The League of Women Voters, the Society of Friends and parents of white children in the area have petitioned the board in behalf of the Vickers boy.

The board met at Chapel Hill Monday night and refused to yield to suggestions of "more definite integration" for public schools this fall. Last week the Citizens Committee for Chapel Hill Schools asked the board to issue a detailed plan for its proposed limited integration of the first grade.

The committee also urged the board to follow a plan for desegregation that was presented by the Society of Friends. The Quaker plan, based on the one used by Nashville, Tenn., called for desegregation according to geographic areas and one grade a year.

Nashville, has been using the plan for three years and currently has integration in its first three grades.

Thomas L. Vickers and Mrs. Lattice Vickers, parents of Stanley, asked in the suit filed Tuesday that a speedy court hearing be given the matter. They also seek a permanent injunction ordering the defendant school board and board members to refrain from operating segregated schools and be required to formulate a plan for carrying on school integration.

• • •

**IN PENSACOLA, FLA.** the NAACP filed a civil rights suit seeking integration of colored pupils and teachers in Pensacola's city-county school system.

An NAACP attorney said the action in the U.S. District Court was the first of its type filed in Florida.

The plaintiffs were listed as 12 colored children, including two whose parents have sought for several months to have them transferred to a white school.

Lawyers in the action were Thurgood Marshall of New York; chief NAACP counsel; Mrs. Constance Baker, Motely, also of New York, assistant chief counsel, and Charles F. Wilson, of Pensacola.

Mr. Wilson said previous school integration suits in Florida sought admittance to specific pupils instead of a class suit seeking integration of all pupils and teachers.

The suit requested an injunction prohibiting the Escambia County School Board from operating the school system on a bi-racial basis. It also requested an injunction barring the board from assigning teachers, principals and other employes on a racially segregated basis.

As an alternative to the injunctions, the suit requested a decree requiring that the school board submit a plan to bring about integration within a period specified by the court.

Mr. Wilson said the NAACP had entered the case at the request of plaintiffs because the latter did not have the several thousand dollars necessary to maintain the legal action.

**ANOTHER VIRGINIA GRADE SCHOOL ADMITS, COLORED STUDENTS**

IN ALEXANDRIA, Va. — The fourth elementary school was quietly integrated here last week when five colored pupils enrolled in the Minnie Howard elementary school along with 500 whites.

Another school was scheduled to be integrated this week but the father of the only colored child accepted, decided to keep his daughter in the Washington D.C. school she is attending.

Three other Alexandria schools were desegregated last February when two colored children were admitted to Hamilton High School, five to Ramsey Elementary School and two to Ficklin Elementary School.

Seven more colored children were admitted last week under court order including one at Ramsey and one at Hammond.

Eva Ann Cooper, 12, was scheduled to attend Thomas Jefferson School. Her father, Clarence, said she did not transfer because she already attends Gordon Junior High School in Washington, her tuition was paid and he did not want to interrupt her schooling.

Cooper, said his daughter, an eighth grader, would continue at Gordon through the ninth grade.

The seven entering last week were among 17 who had applied for admission. Nine were rejected by Federal District Judge Albert V Bryan, most for academic reasons.

There are now 105 colored students attending formerly white schools in six Virginia localities.

**EDUCATOR DISCUSSES INTEGRATION IN PHILADELPHIA SCHOOLS**

IN PHILADELPHIA — Floyd L. Logan, president of the Educational Equality league, said here this week that despite integration in local schools, there is still room for improvement.

Logan cited for example that there are 10 all colored elementary schools, 55 all-white schools and 73 elementary, secondary and vocational schools of which more than 80 percent of the student body is colored. Also, that about 100 schools have 20 percent colored enrollment.

As for teachers,

Logan said that colored teachers are integrated into 112 of the 247 public schools at all levels. The total number of colored teachers is 2211 compared to 8239 white teachers. Most of the colored teachers are assigned to all colored or predominantly colored schools.

White teachers, meanwhile, are not integrated into the 19 all colored schools the report continued. That is with the exception of a few white principals.

Asked the solution, Logan said the answer lies in a comprehensipe survey of the same type conducted in New York City to determine the nature and extent of the proplems and their solution.

**IN MEMPHIS, TENN.,** eight colored students who broke the racial barrier at Memphis State University last fall completed their first semester last week and announced they plan to enroll for the spring term.

Ralph A. Prater, one of the eight, said that the white students are much more friendly now than when they first enrolled.

In New York City, white parents gave teas for parents of colored and Puerto Rican children being transferred from overcrowded schools in Harlem and East Harlem.

Thanks to the careful spadework by school officials and parents groups.

Pupils at the five schools receiving the 340 transferring pupils were prepared for the influx of new students over several weeks.

# Negroes Mark 3 Schools for New Drives

NASHVILLE, Tenn. (UPI) — Negroes, in three new federal lawsuits filed in June, are seeking to desegregate public schools for the first time in Birmingham, Ala., Volusia County, Fla., and Caswell County, N.C., Southern School News reported in its July issue.

The Birmingham action represents the only litigation attacking segregated schools in that state, according to the monthly publication of Southern Education Reporting Service.

Mississippi now is the only state that maintains complete segregation in its school system and does not have a suit seeking to change the situation.

The Orleans Parish School Board, facing a federal court order to desegregate the New Orleans public schools beginning Sept. 6, has appealed to Louisiana Gov. Jimmie H. Davis to use the doctrine of interposition to keep the schools open on a segregated basis.

The Houston, Tex., board is awaiting a decision by U.S. District Judge Ben C. Connally on the undisclosed desegregation plan it has submitted to the court. The Negro plaintiffs are seeking to enter the white schools at the start of the school year in September.

The new Alabama suit entered on June 17 charges that the pupil assignment law, previously upheld by the U.S. Supreme Court, is "inadquate to provide relief."

A suit in federal court at Jacksonville, Fla., was filed in behalf of 39 Negro students from Volusia County (Daytona Beach). NAACP attorneys said it was the most extensive school suit ever filed in the nation. The petition concerns not only pupils but also assignment of teachers and administrative personnel and budgeting of school funds.

Forty-four Negroes seek desegregation of Caswell County, N.C., schools. Since the suit was filed, seven of the students have requested transfers to the county's white schools.

The school board at Chapel Hill, home of the University of North Carolina, voted unanimously June 27 to accept the applications of three Negro students for the first grade at an all-white school. This would be the first desegregation in the 3,500-student school system.

# U.S. COURTS LIMIT PUPIL PLACEMENT

## Say Negroes Can't Be Given Harder Entrance Tests

By ANTHONY LEWIS

Special to The New York Times.

WASHINGTON, May 8 — Southern legal efforts to hold the pace of school desegregation to a crawl have been dealt a blow by two significant Federal court rulings.

The courts warned that Negro children seeking admission to white schools may not, constitutionally, be given tests different from those taken by white children before they are admitted.

This principle, if enforced, could eliminate most Negro objections to the so-called pupil-assignment plans now used in most of the Southern states. Such plans are the only legal device to delay integration that has proved successful so far.

Under pupil-assignment plans some authority — the school board, for example—is empowered to assign pupils to schools on the basis of many factors, not including race. Among the factors are scholastic achievement, aptitude, health, morals and residence.

As a general rule these standards are applied only to Negro children. Any white child is admitted automatically to a "white" school, but a Negro seeking entry has to meet the standards.

Moreover, the various tests have been applied to Negro children entering the school system for the first time as well as to proposed transfers. The Negro first-grader is placed automatically in a "Negro" school unless he demands otherwise and can pass the indicated tests.

The result is to maintain two separate school systems, just as they existed before the 1954 Supreme Court decision that school segregation is unconstitutional. The only difference is that a handful of Negroes manages to get past the tests and enter the "white" system.

North Carolina and Virginia, whose pupil-assignment plans have been in force, are good examples. Latest figures show a total of only 137 Negro children in the two states actually attending classes with white children.

### Pattern Is Vulnerable

It is this pattern that is vulnerable to the recent decisions. They came from the United States Courts of Appeals for the Fourth and Fifth Circuits, covering most of the South.

The Fourth Circuit comprises Virginia, West Virginia, North and South Carolina and Maryland. In the Fifth are Alabama, Florida, Georgia, Louisiana, Mississippi and Texas.

The Fourth Circuit case came from Alexandria, Va., across the potomac from Washington. Parents of five Negro children complained that their children had been excluded from white schools on grounds of mental aptitude and residence area—criteria not applied to white children.

The court said there had been no evidence in the record to prove that white children did not have to pass the same tests. But it went on to warn that any such one-sided application of criteria "would not escape the condemnation of the courts."

"If the criteria should be applie donly to Negroes seeking transfer or enrollment and not to white children, then the use of the criteria could not be substained," the court said.

### Application is Cited

"Or if the criteria are, in the future, applied only to applications for transfer and not to applications for initial enrollment by children not previously in the city's school system, then such action would also be subject to attack on constitutional grounds, for by reason of the existing segregation pattern it will be Negro children primarily, who seek transfers."

The opinion went on to warn specifically against maintenance of separate school districts for whites and Negroes. "Obviously the maintenance of a dual system of attendance areas based on race offends constitutional rights," the court said.

The opinion was unsigned. Agreeing to it were Chief Judge Simon E. Sobeloff of the Fourth Circuit and Judges Clement F. Haynsworth Jr. and Morris Soper.

The Fifth Circuit case stemmed from Hillsborough County, Fla. A group of Negroes sougnt an injunction to bar the school board from continuing, segregation, but the trial judge dismissed their suit on the grounds that each Negro child had the right to apply for transfer to a white school under the pupil-assignment law.

### Dismissal is Reversed

This dismissal was reversed by the Fifth Circuit. It said the plaintiffs should have had a chance to prove that the pupil-assignment plan had, in fact, "not brought an end to the previously existing policy of segregation."

For example, the Fifth Circuit said, the Negroes might have proved that the school board had automatically assigned Negro children to "Negro" schools and had given tests to no one "but the relatively few Negro students who sought transfers." The opinion did not specifically condemn such action but hinted broadly that it would be invalid.

The opinion was by Judge Elbert P. Tuttle and was joined by Chief Judge Richard T. Rives of the Fifth Circuit and District Judge Bryan Simpson of Florida.

The course indicated by these two cases would not prohibit the use of pupil-assignment standards—mental aptitude for example. But would require application of the test to all, so that one school could be reserved for bright children—of any race.

# Negroes Gain In School Fight

## Integration In Louisiana Leaves Four Southern States Unchanged

Special to The Commercial Appeal

NASHVILLE, Dec. 5.—Admission of four Negro children to previously all-white schools in New Orleans Nov. 14 marked the first desegregation in Louisiana and the Deep South, Southern School News reported in its December issue.

The Orleans Parish schools precedented Federal Court action that restrained 775 state and local officials—including the Legislature and governor—from interfering. The action left Mississippi, Alabama, South Carolina and Georgia as the only states with complete segregation.

The entrance of the Negro girls into McDonogh No. 19 and Frantz elementary schools was the first time since Reconstruction the two races have attended the same schools in the state.

### Total Boycott

However, the break in school segregation touched off an almost total boycott of the two schools by whites, led to violence in the heart of downtown New Orleans and resulted in a massive attack by the Louisiana Legislature on the Federal Courts' right to interfere in public education.

On Nov. 30, a three-judge Federal Court knocked down the legal challenges the Legislature had based on the doctrine of interposition. "The conclusion is clear," the court said, "that interposition is not a constitutional doctrine."

At the same time, the court denied a plea by the parish school board for a delay in desegregation. The judges enjoined the Governor, the Legislature and more than 700 other state and local officials from interfering.

The December issue of Southern School News also reported these major developments on school segregation - desegregation during the previous month:

# How School Districts Stand

| State | School Districts Total | Bi-racial | Deseg. | Enrollment White | Negroe | In Desegregated District White | Negro | Negroes In Schools With Whites | |
|---|---|---|---|---|---|---|---|---|---|
| Alabma ..... | 114 | 114 | 0 | 516,135y | 271,134y | 52,126 | 0 | 0 | |
| Arkansas .... | 422 | 228 | 10 | 317,053z | 105,130z | 52,126 | 12,639 | 113 | .107 |
| Delaware .... | 93 | 51 | 24 | 67,145 | 15,061 | 8,665 | 8,665 | 6,734 | 49.7 |
| Dist. of Col. | 1 | 1 | 1 | 24,697 | 96,751 | 24,697 | 96,751 | 81,392 | 84.1 |
| Florida ..... | 67 | 67 | 1 | 776,743 | 202,322 | 133,336x | 27,502 | 27 | .013 |
| Georgia ..... | 198 | 196 | 0 | 682,354y | 318,405 | 0 | 0 | 0 | 0 |
| Kentucky .... | 211 | 171 | 128 | 593,494y | 41,938y | 445,000x | 32,000x | 16,329 | 38.9 |
| Louisiana .... | 67 | 67 | 1 | 422,181y | 271,021y | 37,490 | 51,113 | 4 | .001 |
| Maryland .... | 24 | 23 | 23 | 449,897x | 134,379x | 406,286y | 114,682y | 28,072y | 20.9 |
| Mississipp ... | 151 | 151 | 0 | 287,781x | 278,640y | 0 | 0 | 0 | 0 |
| Missouri .....1,889 | | 214x | 200x | 758,000x | 84,000x | —x | 75,000x | 35,000x | 41.7 |
| N. Carolina .. | 173 | 173 | 10 | 816,681y | 302,060y | 117,404 | 54,746 | 82 | .027 |
| Oklahoma ....1,276 | | 241 | 189 | 504,125x | 40,875x | 266,405 | 30,725 | 9,822 | 24.0 |
| S. Carolina .. | 108 | 108 | 0 | 352,164y | 257,935y | 0 | 0 | 0 | 0 |
| Tennessee .... | 154 | 143 | 6 | 670,680z | 157,320x | 87,393 | 19,644 | 342 | .217 |
| Texas .....1,531 | | 720 | 130 | 1,840,987x | 288,553x | 800,000x | 85,000 | 3,500x | 1.21 |
| Virginia ..... | 130 | 128 | 11 | 668,500 | 211,000 | 177,731 | 52,286 | 208 | .099 |
| West Virginia | 55 | 43 | 43 | 416,646 | 21,010 | 416,646 | 21,010 | 14,000x | 66.6 |
| | 6,664 | 2,839 | 777 | 10,165,246 | 3,097,534 | 3,013,019 | 681,763 | 195,625 | 6.3 |

x—Estimated. y—1959-60. z—1958-59.

ALABAMA—Some 300 Klansmen convened in Montgomery to map plans to prevent school desegregation in Alabama.

### Amendment Rejected

ARKANSAS—Arkansas voters rejected by a three-to-one ratio the proposed constitutional amendment that would have permitted closing schools to avoid desegregation.

DELAWARE — The United States Supreme Court has been asked to reverse a Circuit Court ruling that struck down Delaware's grade-a-year desegregation plan.

DISTRICT OF COLUMBIA — The percentage of Negro students in District public schools increased to 79.7 as the schools reached a record enrollment of 122,879.

FLORIDA—he Volusia County school suit took an unusual turn when school board attorneys sought to remove white plaintiffs from the case.

GEORGIA—United States District Judge W. A. Bootle set Dec. 12 for a non-jury trial in the University of Georgia desegregation case.

KENTUCKY—An anti-merger suit against the Barbourville city school system was changed into an anti-segregation suit against adjacent Knox County.

LOUISIANA—Many white students boycotting the two elementary schools attended public schools in adjoining St. Bernard Parish.

### Progress In Maryland

MARYLAND — Montgomery County's desegregation program reached its sixth year with 73 per cent of its Negro pupils and 74 per cent of its Negro teachers in bi-racial schools.

MISSISSIPPI—Mississippi voters ratified a constitutional amendment making it discretionary instead of mandatory that the Legislature provide free public schools.

MISSOURI—A legislative proposal for junior colleges was regarded as providing broader educational opportunities for students barred from post-high school training.

NORTH CAROLINA — The United States Fourth Circuit Court of Appeals reversed a district court ruling that had dismissed a desegregation suit against the Greensboro Board of Education.

OKLAHOMA—Oklahoma has 20 more racially integrated schools this year but 440 fewer Negroes attending them, a survey found.

SOUTH CAROLINA — South Carolina's special segregation committee said most school problems now existing are administrative in nature.

### Negroes At UT

TENNESSEE—The University of Tennessee will admit qualified Negroes as undergraduate students for the first time, beginning with the winter quarter in January.

TEXAS — A Federal appeals judge indicated that he felt Dallas should begin desegregated schools in 1961 at a faster pace than one grade a year.

VIRGINIA—The State Pupil Placement Board assigned one more Negro to a predominantly white school, making 208 Negroes attending schools with whites in 11 localities.

WEST VIRGINIA—The president of West Virginia State College, in answering a critical article published in a national Negro magazine, said inter-racial co-operation among students was excellent.

# Negro Attorneys Ask Teacher Integration

Jackson Daily News

Jackson, Miss.

By HEDRICK SMITH
United Press International

NASHVILLE, Tenn. (UPI) — Negro attorneys are exploring a new legal issue in school desegregation suits in Florida and Tennessee — whether school systems must racially mix teachers as well as students.

Thus, if Federal Judge William Miller were to order the Davidson county school system to integrate its faculty and administrative personnel in a case pending here, it would be a precedent-setting decision.

That is the opinion of experts on race developments in education at the Race Relations Reporter at Vanderbilt and the well-respected Southern Education Reporting Service (SERS) here.

Reed Sarratt, SERS director, and Eugene Wyatt, editor of the Race Relations Law Reporter, say the teacher-integration issue is new to the courts and no court has ruled on it after full hearings.

**ONLY FIVE CASES**

Sarratt reports that is has cropped up only in five cases—Escambia and Volusia counties, Fla., and Memphis, Chattanooga, and Davidson county (Nashville), Tenn. The Memphis case has not been heard.

Judge Miller, as Judge Bryan Simpson at Jacksonville, Fla., in the Volusia county case, has rejected school board pleas that the teacher facet of the Negro suits be dismissed without hearing.

Miller has given school board attorneys until Dec. 19 to file answers to the Negro plea and has indicated he may give the issue probably its first full court hearing, but he could still reject the Negro plea.

At Chattanooga and Escambia county, federal judges upheld the school board position and dismissed the teacher issue without hearing.

In the Davidson county case, attorneys for both sides go to the original Supreme Court school decisions for their arguments.

Negro attorney Avon Williams says that integration of teachers and other school employees "comes within the tenor and intent of the Supreme Court decisions."

High court rulings state "Negroes are entitled to attend a racially non - discriminatory school system," says Williams. "If you segregate any part of it, you're not operating a racially discriminatory school system."

**GO NO FURTHER**

County school board attorney Shelton Luton argues that the Supreme Court decisions apply only to students and go no further.

County attorneys also point to the words of Judge Leslie Darr in the Chattanooga ruling. Darr, in dismissing the Negro complaint, said it was "a novel contention that students can assert rights for teachers." The argument is that teachers should bring the suit, not students.

Even though no federal court has ordered faculty integrations, SERS reports school systems in eight states and Washington, D. C. have voluntarily integrated their employes.

"In some cases, there are Negro teachers in schools with predominantly white classes," says Sarratt. "This is true in Baltimore and Montgomery county, Md. Sarratt mentions also Missouri — including St. Louis, Oklahoma areas and Louisville, Ky. and oddly enough Oak Ridge, Tenn.

However, in five states that have desegregated some classes, "public school faculties remain segregated," SERS reports. The five are Virginia, Florida, North Carolina, Arkansas and Louisiana.

## TEACHER MIXING ISSUE EXPLORED

The News

Precedent-Setting Decision Held Possible

Pascagoula

NASHVILLE, Tenn. (UPI)—Negro attorneys are exploring a new legal issue in school desegregation suits in Florida and Tennessee—whether school systems must racially mix teachers as well as students.

Thus, if Federal Judge William Miller were to order the Davidson county school system to integrate its faculty and administrative personnel in a case pending here, it would be a precedent-setting decision.

That is the opinion of experts on race developments in education at the Race Relations Reporter at Vanderbilt and the well-respected Southern Education Reporting Service here.

Reed Sarratt, SERS director, and Eugene Wyatt, editor of the Race Relations Law Reporter, say the teacher-integration issue is new to the courts and no court has ruled on it after full hearings.

**ARISES ON FIVE CASES**

Sarratt reports that it has cropped up only in five cases—Escambia and Volusia counties, Fla., and Memphis, Chattanooga, and Davidson county (Nashville), Tenn. The Memphis case has not been heard.

Judge Miller, as Judge Bryan Simpson at Jacksonville, Fla., did in the Volusia county case, has rejected school board pleas that the teacher facet of the Negro suits be dismissed without hearing.

Miller has given school board attorneys until Dec. 19 to file answers to the Negro plea and has indicated he may give the issue probably its first full court hearing, but he could still reject the Negro plea.

At Chattanooga and Escambia county, federal judges upheld the school board position and dismissed the teacher issue without hearing.

In the Davidson county case, attorneys for both sides go to the original supreme court school decisions for their arguments.

**ATTORNEYS DISAGREE**

Negro attorney Avon Williams says that integration of teachers and other school employes "comes within the tenor and intent of the supreme court decisions."

High court rulings state "Negroes are entitled to attend a racially nondiscriminatory school system," says Williams. "If you segregate any part of it, you're not operating a racially nondiscriminatory school system."

County school board attorney Shelton Luton argues that the supreme court decisions apply only to students and go no further.

County attorneys also point to the words of Judge Leslie Darr in the Chattanooga ruling. Darr, in dismissing the Negro complaint, said it was "a novel contention that students can assert rights for teachers." The argument is that teachers should bring the suit, not students.

**INTEGRATE EMPLOYES**

Even though no federal court has ordered faculty integrations, SERS reports school systems in eight states and Washington, D. C. have voluntarily integrated their employes.

"In some cases, there are Negro teachers in schools with predominantly white classes," says Sarratt. "This is true in Baltimore and Montgomery county, Md. Sarratt mentions also Missouri—including St. Louis, Oklahoma areas and Louisville, Ky., and oddly enough Oak Ridge, Tenn.

However, in five states that have desegregated some classes, "public school faculties remain segregated," SERS reports. The five are Virginia, Florida, North Carolina, Arkansas and Louisiana.

# White Southern Teachers Against Closing Schools

The Call Kansas City, Mo.
Jan 2-5-60.

ATLANTA. — (ANP) — A group of 33 distinguished white southern educators, including four college presidents, told the South last week that it would be calamitous to close the public schools to avoid integration.

From the beginning, they said, it has been the public school that has nurtured the American concept of democracy.

"How can this ideal possibly live on in a society that abolishes the principal institution established to preserve it?" the educators asked. "Every democratic nation in the world has a tax-supported system of public schools."

**Four Presidents Sign**

Their views were given in a statement, the first to be issued by leaders in the profession from a cross-section of the region.

The signers, who included four college presidents and 23 education department heads in institutions of higher learning, emphasized that they were expressing personal opinions.

The statement was addressed primarily to the South because "that is where the problem is today, "one said.

"When we understand what we would lose if the public schools were closed a way will be found to keep them open."

**Poor Children Will Suffer**

One consequence of school closings, the educators warned, would be a loss of education for a majority of children because of an inability to pay for private schooling.

The statement cautioned that shutting schools would flood the labor market with unskilled workers.

"How will the community face this situation?" it asked. "Will they be added to relief rolls? Will they draw unemployment compensation?"

No community can absorb large numbers of teen-agers in gainful occupations, the educators argued.

"Neither can it provide youth services and recreational facilities which can take care of the daytime hours of so large a number," they warned.

**See Cause, Effect**

The educators said studies had shown a close relationship between the economic status of a state or community and the education of its residents.

The statement was issued in behalf of the signers by J. B. White, dean of the University of Florida's College of Education.

# SOUTH IS WARNED ON SCHOOL CRISIS

The New York Times

## 33 Regional Educators See Collapse of Democracy if Public Institutions Close

New York

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Jan. 26 Thirty-three Southern educators warned today that if public schools were closed the resulting social, economic and political damage would bring a collapse of democratic society.

From the beginning, they said, it has been the public school that has nurtured the American concept of democracy.

Mail 1-27-60.

"How can this ideal possibly live on in a society that abolishes the principal institution established to preserve it?" the educators asked. "Every democratic nation in the world has a tax-supported system of public schools."

Their views were given in a statement, the first to be issued by leaders in the profession from a cross-section of the region.

P-16

The signers, who included four college presidents and twenty-three education department heads in institutions of higher learning, emphasized that they were expressing personal opinions.

**Notes Defiance of Court**

The statement was addressed primarily to the South because "that is where the problem is today," one said. He contended that it would also apply to any other region threatened by the destruction of public education.

The South is "facing a serious crisis" because of threats to shut public schools in defiance of Federal Court desegregation orders, the statement said.

It noted, however, that many groups were supporting the preservation of public education, and declared:

"When we understand what we would lose if the public schools were closed, a way will be found to keep them open."

One consequence of school closings, the educators warned, would be a loss of education for a majority of children because of an inability to pay for private schooling. Even some receiving private instruction would suffer as a result of limited facilities and inferior teaching, they added.

Furthermore, they said, "a disbanded system of public education will not encourage young people to choose teaching as a profession, and greater shortages of competent teaching personnel are certain to materialize."

**Flood of Unskilled Labor Seen**

The statement cautioned that shutting schools would flood the labor market with unskilled workers.

"How will the community face this situation?" it asked. "Will they be added to relief rolls? Will they draw unemployment compensation?"

No community can absorb large numbers of teen-agers in gainful occupations, the educators argued.

"Neither can it provide youth services and recreational facilities which can take care of the daytime hours of so large a number," they warned.

"It is reasonable, therefore, to expect that when hundreds of school-age boys and girls are without employment, many will drift into crime and delinquency."

The educators said studies had shown a close relationship between the economic status of a state or community and the education of its residents. Their statement continued:

"People who are well-educated are more intelligent consumers, have greater income and spend more per capita. Thus, there is a direct relationship between the level of education and economic well-being of a community."

For years, the educators said, the South has been concerned over the annual migration of some of its ablest youth in search of greater educational and economic opportunities.

"Close the public schools in a community or a state and this migration will increase manyfold," they declared. "Not only will communities lose the leadership of promising youth, but they will find it difficult to attract able leaders from the outside."

**Case of Emory U. Cited**

An attempt by Emory University in Atlanta to employ two chairmen of important departments in 1958 was given as an example.

"Those approached 'declined to bring their families into the muddled Georgia school situation,'" the educators recalled.

The group held that school closings would adversely affect the technological race with communism.

"The nation is straining every nerve to encourage able boys and girls to continue their schooling so that those who have ability in science and mathematics can share in developing the technology of our country," it observed.

"When an able student does not complete high school or go to college, the nation, as well as the individual, suffers a great loss. If securing a high school education is made more difficult or limited to those who are able to pay the extra cost, this loss will increase significantly."

The statement was issued in behalf of the signers by J. B. White, Dean of the University of Florida's College of Education.

The signers were:

Wallace M. Alston, president of Agnes Scott College, Decatur, Ga.; Vernon E. Anderson, Dean of the University of Maryland College of Education; J. A. Battle, Dean of Florida Southern College, Lakeland; John R. Beery, Dean of the University of Miami School of Education; Witt Blair, Dean of North Texas State College School of Education, Denton.

Also, J. L. Blair Buck, president of the Virginia Committee for Public Schools; William Cartwright, chairman of Duke University's Department of Education, Durham, N. C.; Ralph Cherry, Dean of the University of Virginia's School of Education; Dennis H. Cooke, director of teacher education at High Point College, High Point, N. C.; M. P. Davis, Dean of faculty at East Tennessee State College, Johnson City.

Also, A. N. Donner, Dean of the University of Houston's College of Education; Harley Fite, president of Carson-Newman College, Jefferson City, Tenn.; Charles R. Foster, assistant dean of the University of Florida's College of Education; Lyman V. Ginger, Dean of the University of Kentucky's College of Education; Halbert Harvill, president of Austin Peay State College, Clarksville, Tenn.

Others were:

L. D. Haskew, Dean of the University of Texas College of Education; Earle T. Hawkins, president of State Teachers College, Towson, Md.; Kenneth E. Howe, Dean of the School of Education at Woman's College, University of North Carolina;

Also, A. K. King, director of summer session at the University of North Carolina; J. Bryant Kirkland, Dean of the School of Education at North Carolina State College; Howard Kirksey, Dean of the Faculty at Middle Tennessee State College; Hugh McEniry, Dean of the College of Arts and Sciences at Stetson University, Deland, Fla.

In addition, W. J. Moore, Dean of Eastern Kentucky State College; J. J. Oppenheimer, chairman of the education department at the University of Louisville; Arnold Perry, Dean of the School of Education at North Carolina; Truman M. Pierce, Dean of the School of Education at Alabama Polytechnic Institute (Auburn).

Also, Ray Sowers, chairman of the division of education at Stetson; Mode L. Stone, Dean of the School of Education at Florida State University; J. G. Umstattd, Professor of Education at the University of Texas; O. W. Wake, president of Lynchburg College, Lynchburg, Va.; J. B. White, Dean of the College of Education at the University of Florida, and F. G. Woodward, Dean of Faculty at Austin Peay.

14d(1) 1960 GENERAL EX-PRESIDENT HARRY S. TRUMAN

# School Mixing In South Inevitable, Truman Says

AP Wirephoto

## 'GIVE-'EM-HELL' HARRY LASHES OUT AT GOP ADVERSARIES BEFORE DECATUR CROWD

### Audience At Maior Political Address By Ex-President Fell Far Short Of Expectations

## Blasts GOP In Address At Decatur

The Montgomery Advertiser

Montgomery, Ala.

By L. P. PATTERSON
Advertiser Managing Editor

DECATUR — Schools in the South will be integrated whether a Democrat or a Republican is elected President of the United States next month, former President Harry Truman asserted here Friday.

Sat. 10-22-60

The "Give 'em Hell' campaigner from Missouri struck out time and time again at the GOP adversaries while a crowd estimated at between 5,000 and 7,500 roared approval of his words and tactics. The audience fell far short of the expected 20,000 but with few exceptions they were Democrats to the core.

School integration is required by the U. S. Constitution, he said, and is "something you're going to have to solve for yourselves."

**HALE AND HEARTY**

Truman appeared hale and hearty and throughly enjoying his onslaught against the Republicans despite his 76 years.

He fired his most devastating guns at a press conference immediately preceeding his speech. Among other things, he charged that the present Cuban crisis is the nation's most dangerous problem "and the only reason it was not handled like the Korean situation is because I'm not in there."

He added that if the Republican administration had applied the Monroe doctrine the Cuban situation would have not developed.

The former President painted the Democrats as the party of progress and charged that the stalemate resulted when the Republicans came and took power.

**SHARPEST BARBS**

He reserved his sharpest barbs for GOP Presidential candidate Richard Nixon. In his first reference he called the Vice President "tricky Dicky" and later said of him "he doesn't live on principle, he dosen't act on principle; my friends, he's no good and you oughtn't to vote for him."

Later Truman charged:

"I think the Republican candidate for President probably does his fastest footwork in the field of agriculture. He is trying to deceive us about three things at the same time. First, the record of the past; second, the farm program of the Democrats; and third, his own so-called farm program. He is not telling you the truth—about any of them."

On those occasions when Truman discussed President Eisenhower's administration he referred to the chief executive as "Ike." He and other speakers

(Continued From Page 1)

played often and heavily on the sensitive Tennessee valley voters most valuable asset, the Tennessee Valley Authority. The vast inland waterway and hydroelectric system was built by Democrats, he asserted.

**CHECK RECORD**

Both Nixon and Henry Cabot Lodge, GOP standard bearers never voted for TVA, "and you can check the record," he said.

"You should know that (TVA) has always been opposed by the Republicans. They tried to keep it from being built and they are still trying to wreck it. Remember Nixon, Dixon, Yates and Ike when they tried to give TVA to the special interests?"

For the farmers in his audience, Truman painted a gloomy picture of the results of eight Republican years.

"After eight years of the Nixon-Benson-Ike administration," he said, "we find that the American farmer has the lowest purchasing power he has had since 1940." He charged that the U.S. Department of Agriculture has spent more money in the past eight years than in all 90 years of previous administrations.

Truman touched only briefly on the religious issue and then to urge his listeners not to inject Democratic candidate John F. Kennedy's Catholic membership into the campaign.

"I'm a Baptist, a 33rd degree Mason and a past grand master of Masons in Missouri," he said. "If three million Catholics can vote for a Baptist, a 33rd degree Mason and a past grand master of Missouri as they did in 1948, what harm can it be to elect a competent man of that faith to the Presidency?"

Truman spoke for 25 minutes from a prepared text with frequent asides and interpolations. But the audience, perspiring under a hot sun which drove the chill from Decature's early morning low 30-degree temperatures, grew restless before the hour-long introduction of distinguished guests and Democratic campaign workers was completed. State Democratic Chairman T. C. Almon was interrupted in his lenghty introduction of Gov. John Patterson, causing him to abruptly curtail his speech.

**SHORT INTRODUCTION**

The governor, speaking from notes, took less than two minutes to present the ex-Fresident. He hailed him as "one of the great men of the world, a champion of the people, a great Democrat."

Truman's plane touched the ground at Decatur airport precisely on schedule at 12:30 p.m. He was greeted by Gov. Patterson, Sens. Lister Hill and John Sparkman and Congressman Bob Jones and Albert Rains. He smiled broadly and waved to the crowd as he walked between lines of his honor guard, members of the 279th Signal Co. of the Alabama National Guard, commanded by Col. Jackson M. Balsh.

The musical salute, replete with ruffles and flourishes, was sounded by the Decatur High School band.

**OPINION CHANGED**

Other points made by Truman at his press conference included:

He has now changed his opinmature enough for the Presidency;

He does not intend to change ion that Sen. Kennedy is not his forthright manner of speaking;

Sen. Kennedy is simply upholding a Presidential treaty in his position on Quemoy and Matsu—that they are indefensible;

That he did not say that anyone who voted the Republican ticket should go to hell, but that they would place this country in a hell of a fix, which might deteriorate into the real thing before it was through.

# Integration An Affront, Baptists Say

ATLANTA, July 29 (AP) — The Georgia Baptist Convention's social service commission reported today that forced school integration would violate the church's religious practice and sense of practical right.

The report, which will be submitted to the convention at Savannah in November for adoption, says that "to integrate public schools racially is to institute a social revolution."

The Christian Index, weekly publication of the church, printed the commission report in this week's issue.

The commission said Georgia Baptists had lived in a segregated society for several generations and that this had helped Negroes "to come a long way in a short time."

"The situation has now changed because of a new interpretation of the law," the report said. "Federal law now stands in opposition to tradition practice and religious conviction of Georgia Baptists. We have been and will continue to be law abiding citizens.

"At the same time our religious practice and sense of practical right would be violated by any forced integration of the races in public schools."

# Board To Consider Site For New Carter School

By JOEL W. SMITH

The agenda for the October meeting of the Atlanta Board of Education will include a recommendation relating to the purchase of a site for the new E. R. Carter School.

This matter, which has been studied and discussed at length at previous meetings with action delayed, pending development of the University Center Urban Renewal Project, was re-opened by Dr. John W .Letson Monday night in the Superintendent's Report to the Board.

In his preliminary report, presented for the information, Superintendent Letson noted that the architects, Heery and Heery, have been asked to compare the 3.7 acre site for the new Carter School and a prospective new 7.5 acre site being considered for this project.

Among the "problems involved in construction at both sides are: (a) a large trunk sewer going through the property, and (b) extraordinariy precipitous terrain are present in both sites under consideration," he said.

**BOARD APPROVES MORE PAY RAISES**

On recommendation of Dr. Letson, the Board also approved pay raises of $500 per year for administrative positions with salaries under $13,000, effective September 1.

Recipients of these increases in salary include the assistant superintendent in charge of Pupil Personnel Services, the comptroller and the area superintendents. The asist- area superintendents. The assist- Pupil Personnel Service will now receive $12,500 annually, while the comptroller and area superintendents will receive $11,500.

**WILLINGHAM ELEVATED TO PRINCIPALSHIP**

Also on recommendation of Dr. Letson, the Board approved the election to first-year probation some 147 additional teachers and elevated John B. Willingham to a principalship.

Counselor at the Samuel H. Archer High School, since it was opened, Mr. Willingham holds baccalaureate degrees from Morehouse College and Atlanta University.

A veteran of World War III, he started his career in the teaching profession at Booker T. Washington High School in 1946. He has been assigned to the William J. Scott Elementary School, replacing Mrs. Blanche Burruss, who retired.

In other action the Board approved a recommendation that the Safety Patrol Trip to Washington be continued for the 1960-61 year on the basis that participation be limited to 1,400 pupils; authorized a cooperative plan for Driver Training instruction at O'Keefe High School as an afternoon and Saturday pilot program; and approved creation of an advisory committee to study the operation of school cafeterias.

# Georgia Educators To Study Program Of Foundation

A committee of Georgia educators formed to study and evaluate the Minimum Foundation Program Saturday recommended a new formula for distribution of $60 million in school building funds.

The 36-member committee appointed by State Board of Education chairman James S. Peters met to elect officers and set up a study program. Zade Kentmer of Harris County was named chairman; E. E. Mitcham of Meriwether County, vice chairman and Miss Martha Nell Allman, Atlanta, secretary.

Dr. Claude Purcell, state schools superintendent, said the group took up as its first order of business a proposal for a distribution formula to govern the allocation of $60 million in new school building funds.

The group unanimously recommended to the State Board of Education that one third of the money be pro-rated among the school system on the basis of the number and the other two-thirds be allocated on the basis of the increase in attendance since the last school building program.

Dr. Allen Smith, a finance administrator in the State Education Department, pointed out that under the proposed formula $57 million of he $60 million would go to schools having an attendance increase of 100 or more since the last building program.

The group set up subcommittees to study teacher allotment, local school effort in building programs, transportation, teachers salaries and vocational education.

# Whitefoord Ave. School Refuses to Enroll Negro

An attempt to enroll a fourth-grade Negro boy at all-white Whitefoord Avenue Elementary School failed Friday, but the boy's mother will press the effort at a Saturday morning conference with Deputy School Supt. Dr. Rual W. Stephens.

Mrs. Pauline Jones of 1258 Boulevard Dr., NE, accompanied her son, Timothy, to the school Friday morning and talked with Principal Cecil H. Moon. Moon told her that the application must be made at City Hall.

The mother then tried to enroll her son in the Wesley Avenue School for Negroes.

Dr. Stephens said he will tell the mother that applications are not being received to integrate schools at this time because, under federal court order, integration will not begin until Sept. 1961. Even then, desegregation will begin in the 11th and 12th grades.

Applicants for white schools must be filed by May 1 of each year to be considered, under the grade-a-year integration plan approved by U.S. District Judge Frank A Hooper.

School Supt. John W. Letson was out of town and could not be reached for comment.

# Vandalism Follows Negro School Bid

By DOUGLAS KIKER

The principal of the all-white Whitefoord Avenue Elementary School disclosed Friday that an unidentified Negro woman appeared at the school Friday and asked that her son be allowed to enter the fourth grade there.

But Mrs. Pauline Jones of 1258 Boulevard Dr., NE, maintained firmly Saturday that she wasn't that woman. Because she had been so identified in one report, Mrs. Jones said Saturday, vandals shattered the windshield of her automobile sometime Friday night. She said she had been receiving numerous threatening phone calls.

* * *

"I NEVER WENT to Whitefoord School. I never talked with Mr. Moon, and I have no plans for meeting with Dr. Rual Stephens on Saturday," she said.

She said she planned to call Police Chief Herbert Jenkins later to ask for police protection for her home because callers had threatened to "throw a bomb into it."

Mrs. Jones, who is a real estate sales woman, said further that her son Timothy was already enrolled in and was attending Wesley Avenue School for Negroes.

Mrs. Jones said Saturday that her son had weak legs, due to a now-corrected childhood defect, and that she had called Dr. Lloyd E. Baugham, the area superintendent, on Friday and asked if the boy couldn't attend Whitefoord for this reason.

* * *

**WHITEFOORD,** she said, was only a short distance away from her home.

But, she added, what she really was trying to get was better bus service to the Wesley avenue school. She said Dr. Baugham assured her that bus schedules were presently being re-arranged and that the transportation situation, insofar as her son was concerned, should be corrected "within 10 days or so."

And that was the end of it, she said.

Dr. Rual W. Stephens, deputy school superintendent, traced the admittedly confusing chain of events this way:

Dr. Stephens said he received a report Friday that "a Mrs. Jones" was planning to seek admittance at Whitefoord for "her son Timothy."

* * *

**HE SAID** that, according to Whitefoord Principal Moon's report, "a Negro woman did come to Whitefoord on Friday and try to enter her son but didn't give her name."

"We assumed it was the same person, but it is possible it was not," Dr. Stephens said Saturday.

He said further that "someone" had called his office Friday and asked to see him Saturday concerning the matter, but that this might be a different person also.

Atlanta elementary schools are not scheduled to begin integration in September 1961, according to federal court orders. Under the Atlanta School Board's plan, as approved by U.S. District Judge Frank Hooper, desegregation will begin in the 11th and 12th grades only on that date.

# Woman Says She Didn't Attempt To Enroll Child

An Atlanta mother Monday emphatically denied published report that she had attempted to enro her young son in the all-whit Whitefoord Elementary Schol her late last week.

The woman, who was identifie as Mrs. Pauline Jones, of a Boule vard Dr. N. E., address, furthe said that she had been intimidate and harrassed by unknown person because of the "erroneous" news paper account.

Declining to comment in deta on her charge that the newspaper were in error in identifying her a the woman who attempted to en roll her son in white school. Mrs Jones said "I'll have my lawyer tal to you."

The published reports of a wo man who allegedly tried to enrol her son in a white school was car ried in weekend editions of at leas one Atlanta daily new paper. Th story was NOT printed by the WORLD for lack of proper confirmation.

The story carried in the daily publication had it that Mrs. Jones had taken her son to the white elementary school, talked to the principal and had made an appointment to see Deputy School Superintendent Rual Stephens when the bid was turned down.

Mrs. Jones Monday denied each and every detail of the published account. She said she had never talked by any means to the Whitefoord Elementary School principal, had never made an appointment with Dr. Stephens and "do not intend to see him and have no reason to see him."

# Says Ga. Must Face Fact On Integration

SAVANNAH, Ga. — (UPI) — State School Superintendent Claude Purcell said Wednesday Georgia must face the fact that it will have integrated schools.

Dr. Purcell said the U. S. Supreme Court desegregation decision of 1954 was "binding" on Georgia and the state will have to comply.

"The next session of the state legislature will have to answer the question of shall we continue the program of massive resistance or shall we join other states which have passed legislation providing for living as best they can under the federal ruling," he said.

Dr. Purcell, a speaker at a Georconducted under the auspices of 16 women's organizations, and HOPE, Inc., said he backed the majority report of the Sibley School Study Commission. This report would allow each school system to determine separately what it would do in an integration crisis.

"As public school superintendent, I feel that I cannot do otherwise than take a stand for public education," Purcell said. "We cannot do without education in Georgia. It has become a matter of continuing our customs as best we can."

Purcell said the majority plan of the Sibley Commission would require challenging courts to deal with each school system separately rather than with the state as a whole.

He said he has been told by several localities in the state they do not believe integration will be attempted in their section for several years

# Some State Integration Is Likely, Cook Says

Georgia's top legal defender of its segregation policies—Atty. Gen. Eugene Cook—has told a British television audience that some form of token integration may come about in Georgia schools.

But Cook insisted segregation must remain for the foreseeable future in hospitals, prisons and similar institutions.

"We are confirmed segregationists," he told British interviewer Ian Trethowan in the latest episode of a filmed series called "Main Street, U.S.A." that was shown Monday night. Cook was out of the city Monday night and Tuesday and could not be reached for elaboration.

Cook said Georgia's white population does not consider itself technically superior to Negroes but added:

"I woudn't be true to my race if I didn't say we were superior in culture."

Another view was advanced by Ralph McGill on the program. Asked by Trethowan if he thought racial intermingling would pollute the white race, the publisher of The Constitution replied, "I think it's largely nonsense."

He said integration had been in force some 70 or 80 years in Northern states without producing harmful results.

Trethowan also interviewed a Negro student who told of his activities in gate-crashing segregated restaurants and a Negro professor who demanded full voting rights for Negroes.

Trethowan summed up: "I left the South with a conviction that basic equality will come."

# Seek Study For Ga. Integration

A South Georgia legislator said Thursday that he has asked the legislative counsel for the Georgia General Assembly to study the need for a constitutional amendment which would permit some school integration.

Rep. David L. Newton of Norman Park told United Press International by telephone that he had asked the counsel to determine if a constitutional amendment is needed to give local school boards authority to adopt pupil placement plans.

Newton said that if the measure is needed, and if it were passed, it would mean some integration of Georgia schools. "I don't believe in integration, but we can't fight another Civil War," the Colquitt County representative said.

The plan would simply authorize county and independent school boards to operate their schools according to directions of the General Assembly, Newton said.

Newton added, however, that he did not expect the 1961 General Assembly to take any action toward abolishing current segregation laws.

The Atlanta School System is under a U. S. District Court order to integrate schools beginning in Sept. 1961.

Newton said that in the event of an actual beginning of integration, should legal maneuvering force closing of school systems, he expected a special session of the legislature would be called.

The Newton Amendment if offered and passed, still would require a two-year wait until the next general election to be presented to a popular referendum for passage.

# U.S. May Set Date Today For Integration Here

The Atlanta Constitution
Atlanta, Ga.
Mon 5-9-60
P 17

The scene shifts back to a federal courtroom here Monday in the Atlanta school crisis.

Federal Judge Frank Hooper will hear arguments from attorneys representing the Atlanta Board of Education and others representing parents of Negro school children beginning at 10 a.m. What is to be decided is when Atlanta's schools must be desegregated.

Judge Hooper is expected to make a prompt ruling on Monday's arguments. Some predict the ruling will come Monday.

At earlier hearings in the case, it was decided that the school system must be desegregated and also how it would be desegregated (grade a year, pupil placement).

Attorneys for the plaintiffs are expected to argue that the desegregation must begin in September.

Attorneys for the defense are expected to argue that no date should be set until after the Georgia Legislature meets in January of 1961.

Both plaintiffs and defendants will have in mind the recent majority and minority reports of the General Assembly Committee on Schools. The majority report recommended freedom of choice, which would require erasing some legislation. The minority report recommended no change in present Georgia laws, which prevent any system from desegregating.

Judge Hooper originally postponed his decision on when Atlanta must desegregate so that the state could take steps, if it saw fit, to make it possible for a school system to desegregate in accordance with federal law.

Under the Atlanta Board of Education's present plan, Negroes who want to transfer from one school to another would have to apply by next Sunday in order to be assigned to a new school next fall.

If Judge Hooper orders this plan put into effect, Georgia's present laws would close at least the school from which the Negro transferred and the school to which he transferred.

The school board's attorneys will argue that they should not be ordered to desegregate until the school committee's reports go back to the Legislature and that body is given the chance to change the laws.

The school committee's reports have been introduced into the court records by the school board.

# John A. Sibley Rests Well After Marietta Car Crash

The Atlanta Constitution
Atlanta, Ga.
Sat 5-9-60

John A. Sibley, Atlanta banker and chairman of the Sibley School Study Commission, who was injured Saturday morning in an automobile crash, was reported in satisfactory condition Sunday at Kennestone Hospital in Marietta.

Sibley suffered a small laceration on the back of the head, two ribs broken in the middle chest, and multiple bruises to chest, back and head, doctors said. They added he would probably be hospitalized until Wednesday.

Sibley was reported resting comfortably and not under sedation. He was injured when the car driven by his son, John A. Sibley Jr., 15, en route to the family farm in Cobb County, was in a head-on collision with another vehicle at an intersection of Hazelwood and Scott drives, off South Roswell road in Marietta.

# Negroes to Accept Integration Delay

The Atlanta Constitution
Atlanta, Ga.
Fri 5-13-60

Negro attorneys said Thursday they would not appeal U.S. District Judge Frank A. Hooper's ruling to delay Atlanta public school desegregation until May 1961.

The decision to drop any appeal was based on Judge Hooper's assurance that a plan would go into effect regardless of what the Georgia Legislature did or failed to do. The order is in no way contingent on the General Assembly.

During a hearing Monday, the judge made a long, off-the-cuff statement from which his official opinion will be taken. The Negro attorneys thought the order was made contingent upon action by the legislature and planned to appeal, but an afternoon conference with the judge straightened out the misinterpretation.

The order will definitely go into effect next year, barring any unforseen action.

D. L. Hollowell, one of the attorneys, said, "This puts the matter squarely up to the Legislature and to the people of Georgia to conform to the decision of not only the Supreme Court, but now a federal court sitting in Georgia."

When the plan goes into effect May 1, next year, the 12th and 11th grades will be desegregated so the time originally scheduled for completion of the plan will not change.

A final opinion in the hearing will probably not be handed down until next week, as Judge Hooper is attending a Fifth Circuit judicial conference in New Orleans and will not return until Sunday.

# NAACP Has Aces - Sibley Report Means Nothing

The Pittsburgh Courier
Pittsburgh, Pa.
Sat 5-7-60

(Courier Press Service)

ATLANTA — When Georgia's Gov. Ernest Vandiver pointed out that the report of the Sibley School Study Commission was not due to be considered until the state legislature met in 1961, he opened the door for immediate action by NAACP attorneys who hold the whip hand in the situation. They can ask the Fifth U.S. Circuit Court of Appeals to now order Federal District Judge Frank A. Hooper Jr., to order desegregation of Atlanta public schools next September and get an order to that effect. That will force the issue.

As the Courier has repeatedly reported during the months of hearings by the Sibley group, these hearings actually were nothing but a waste of time and the taxpayers' money and could produce only data that was already publicly known all over the state—that there was a divided opinion as to what should be done.

The final action is up to the courts—the Federal courts—and as this newspaper has repeatedly pointed out, the NAACP attorneys—Eugene E. Moore Jr., and his associates—have always held the trump cards, the aces and all the winning hand. What the state was doing was only a delaying action, and that has been proved by Governor Vandiver's statement that the Sibley report cannot be acted upon until the Legislature meets in 1961. Few intelligent Negroes held with what the governor had to say. Now, the chips are down.

**THERE WILL BE** no decisive action by the NAACP legal battery, headed by that brilliant young Georgian, Eugene E. Moore Jr. of Waycross, until Judge Hooper has had another chance to state a delaying cause of action on May 9.

Then, the immediate appeal to the Fifth U. S. Circuit Court of Appeals at New Orleans will wipe away all the delaying tactics and bring the issue to the fore, forthwith. The NAACP counsel has delayed this basic appeal—out of courtesy to the judge—but now that the chips are down, the ultimate will be realized. On that, there is no compromise. That decision is due on May 9.

# Mixed Reactions Follow Atlanta School Decision

ATLANTA. — (ANP) — The year's postponement, granted here last week, before school desegregation must begin was met with reaction that followed racial lines.

Mrs. Constance Motley of New York, NAACP counsel who had pleaded with Federal Judge Frank A. Hooper for immediate desegregation, expressed disappointment over his granting the school board until May 1, 1961 to comply with desegregation orders.

Whites on the other hand were jubilant, many feeling that the delay will permit time to devise a scheme to circumvent compliance.

**It's "The Last Delay"**

Judge Hooper, however, made it plain that this was the last delay that he would grant and explained that he did so only to avoid closing the schools altogether.

The state has a law which automatically closes any school which is ordered to integrate.

The judge said he wanted to give Georgia an opportunity to avoid the fate of Virginia, where "the tragic thing . . . was that the people would not give an inch until their children were out in the street."

He added, "I sometimes think that's what it will take in Georgia —to close the schools to get integration."

**"One More Chance"**

He said he felt the Georgia Legislature should have "one more chance" to avert conflict between the State's no-budge position and the court's directives to begin desegregation. The Atlanta school board had asked for more time.

Because of the delay, the judge also modified the plan so that the 11th as well as the 12th grades would be desegregated in May, 1961. This action will allow the plan to be completed in the length of time originally scheduled.

**Possible Appeal Later**

Negro attorneys said at first they would appeal, but changed their minds after an afternoon conference with Judge Hooper. The judge wrote a brief order so that if they should decide to appeal they may do so as rapidly as possible. He said a more complete opinion would be entered later.

However, prospects of integration a year from now are still not good. Political leaders throughout the state indicated that they will stand pat on the school segregation law and come May 1, 1961 Atlanta schools will have to close.

# Jekyll Board Cool to Cook Closing Plan

By GENE BRITTON

Atty. Gen. Eugene Cook Friday proposed closing down the Jekyll Island resort, if necessary, to prevent its integration, but other members of the Jekyll Island Authority declined their support.

Asked about announced plans by the NAACP to integrate public beaches along the southern coast line of the Atlantic Ocean, Cook told reporters that, as one member of the Jekyll Authority, he would "stand firm to close the entire island and all its facilities."

Later, declaring he did not want to alarm the resort's private investors, he issued a prepared statement saying he hoped the governor would declare martial law on the island if integration were attempted. "Otherwise, I would be firmly in favor of closing the public facilities," the statement added.

Secretary of State Ben Fortson Jr., chairman of the Jekyll Authority, would not comment for the record on Cook's idea.

He said the question of integration on Jekyll hasn't come up, that there has been no racial trouble on the island, that there is a "fine colored section" on the island and that he sees no reason for trouble.

**"PROBABLY COULDN'T"**

State Auditor B. E. Thrasher, another member of the authority, said the authority probably couldn't close the resort if it wanted to and that he, for one, did not want to.

Private developers have invested almost $8 million in the state-owned island, he said. Sites for motels, hotels and other properties are held by the investors under leases, most of them of 40-year duration.

Thrasher said the authority might be able to close the beaches (the state itself holds all beach area within 200 feet of the high-water mark), but that the investors probably would have legal recourse if the state took such action to the detriment of their businesses.

**"NOT WILLING"**

"I'm not willing at this time to throw a scare into people—white or colored — who have invested money there or to discourage people from using the island," he added.

"I would oppose any closing that would damage that private business unless the situation got so bad that it couldn't be handled, and then I think whatever action was taken should be done in cooperation with the investors, both white and colored," he said.

State Parks Director Charles Collier, another member, said he has already asked the attorney general's office for a ruling as to who has the power to close state parks. He said he has not received a written reply.

**"LOT OF MONEY"**

"Private capital has invested an awful lot of money down there," he said. "I just don't know what would happen if integration should be ordered."

Matt L. McWhorter, chairman of the Georgia Public Service Coommission, the fifth member of the authority, was not available for comment Friday.

One end of Jekyll Island is devoted exclusively to Negro use.

In his prepared statement, Cook pointed out that Negroes themselves have invested approximately one million for their own use, "and this has been complemented by the authority providing public facilities in proportion to their needs."

If integration should be ordered, it would be legal for the governor to declare martial law and put the jurisdiction of the facilities under the Military Department, he said. He said he would favor closing the public facilities otherwise.

**"ARROGANT ATTEMPT"**

Cook took a double-barreled shot at the NAACP Friday. Commenting on an anti-segregation march by Atlanta Negro college students Tuesday, he declared:

"The arrogant attempt on the part of the Negro demonstrators to seize physical possession of the state Capitol last Tuesday in my opinion is another knot in a noose with which they are bound to eventually hang their leaders and their cause."

He also said the NAACP is losing its grip on its followers.

# Warns Georgia To Face Reality On School Bias

By United Press International

Rep. Erwin Mitchell (D., Ga.) told fellow Georgians Saturday that "whether we like it or not" the Supreme Court's May 17, 1954, school segregation decision "is a reality" and enforceable in the State of Georgia.

Addressing an "open schools" conference in Atlanta, Mitchell said "the time for final decision is close at hand" for Georgia and urged action to "avoid the disaster of closed schools."

His address was based on the Georgia school crisis in which a Federal judge has ordered desegregation of Atlanta public schools by May, 1961, regardless of whether the Legislature acts to change rigid State laws closing schools which are integrated.

**20 CROSSES BURNED**

More than 20 flaming crosse of the Ku Kluk Klan burned in Birmingham, Ala., Friday night, apparently in warning against rumors of demonstrations by Negroes on the sixth anniversary of the Supreme Court decision next week.

Reports of demonstrations planned to observe the anniversary were made in a number of Southern cities. Montgomery, Ala., police announced plans to prevent trouble in the event of demonstrations there.

Arraignment of a Negro integration leader, the Rev. Martin Luther King, on charges of false swearing in connection with Alabama income tax returns, is scheduled Monday in Montgomery. It was indicated that King's formal plea of innocent to the charges may be filed later in the week.

**NAMED TO BOARD**

Macon County, Ala., predominantly Negro, appeared Saturday to have its first functioning board of vote registrars since November, 1958. Charles Donald Scott, a Tuskegee truck stop supervisor, accepted appointment by Gov. John Patterson as the second member of the board empowered by law to function with only two members.

Patterson has been trying unsuccessfully for months to appoint someone who will serve on the board of registrars in the county where Negroes, who outnumber whites six to one, complained that their voting rights have been denied.

At Rome, Ga., a newspaper carrier reported to police that four Negroes attacked him, bound him with wire, set his hair afire and burned his automobile in a racial incident early Saturday. The carrier, Dewey Neighbors, 25, said the Negroes told him "We'll show you white trash what's what."

# Baptists Hit Forced Integration

Georgia Baptists Friday were urged to "give prayerful thought to the matter of race relations in the light of the teachings of the Bible."

The Georgia Baptist Convention commission report on school integration published in the current issue of the Georgia Baptist weekly, "The Christian Index," said, however, "Our religious practice and sense of practical right would be violated by any forced integration of the races in public schools.

"The public school under our concept of education is an institution of broad social reach. To integrate public schools racially is to institute a social revolution."

The commission report will be submitted to the annual Georgia Baptist Convention in Savannah Nov. 15-17.

The report urged Georgia Baptists to harmonize their religious convictions with federal court rulings or seek some alternative to conform to faith and law.

The report said, "By tradition, law and religious practice, Baptists of Georgia have lived in a segregated society for several generations. This practical solution to a complex social problem has helped an underprivileged race to come a long way in a short time.

"The situation has now changed because of a new interpretation of the law. The U.S. Supreme Court ruling of 1954 on segregation in public schools and the more recent court order by Federal Judge Frank Hooper, declare that no longer can public schools be segregated on the basis of race.

"Our present dilemma is one of conflicting demands. Federal law now stands in opposition to tradition, practice and religious conviction of Georgia Baptists. We have been and will continue to be law-abiding citizens."

# What of Segregation by Sex?

The Atlanta Journal
Atlanta Par-
Nov 19-10-60
P. 1

By MARION GAINES

Segregation—not by color but by sex.

That's the proposal being bandied about by numerous Atlantians alarmed over the possible breakdown of racial barriers in the city's public school system.

The Atlantians who believe such a plan merits serious consideration are by no means either wild-eyed radicals or diehard segregationists.

They include, for example, such sober citizens as State Sen. Charlie Brown, Fulton Criminal Court Judge Charles A. Wofford and Fulton Rep. Ralph McClelland.

Those three and other prominent alumni of old Tech High and Boys High think it might not be a bad idea to consider resurrecting the segregation-by-sex system that was used in Atlanta high schools until 1947.

They also tend to agree with former Mayor Roy LeCraw's recent suggestion that separate schools for boys and girls would help minimize "the threat of social danger" in the event Atlanta schools are desegregated.

Present-day student leaders, reared on the educational diet served up in the city's community high schools for the past 13 years, indicate the status quo is just fine. Some teen-agers, however, see separate schools as worth thinking about in connection with integration.

Proponents of separate schools—especially those of Boys High, Tech High and Girls High vintage—argue primarily that all-male and all-female schools promote higher scholastic standards and better discipline.

Coeducation boosters see separate schools as an "unnatural" mode of education which fails to prepare teenagers for the myriad social problems they'll encounter as adults.

"It's my opinion Atlanta would be wise in returning to the old system whereby boys would attend one school and girls another," said Sen. Brown (Boys High, Class of '20). "This could be done without too much of a hardship since our high schools are well located and we could still have community high schools.

"I think boys and girls alike obtain a better education with less distraction when they go to separate schools," Brown said. "Some of the most highly reputable schools still separate boys and girls in their classrooms because of their belief that a better environment for learning is created for both groups."

1400

Since abandoning the concept of a few centrally located high schools in 1947, the city system has spread out to where it now embraces 15 community high schools—with two more to open next fall.

It would be well-nigh impossible, as well as undesirable, to return to the old tightly centralized system. But people like H. O. Smith, longtime principal of old Boys High, contend that separate schools could be set up on a regional basis within the system's five administrative areas.

"Boys High and Tech High were great schools," said Smith, "because there wasn't any sex association distraction within the schools."

In the event of integration, he said, separate schools "would simplify the social and biological problems."

Teen-age boys and girls "tend to be a distraction to each other," said Judge Wofford (Tech High, '32). "I've always favored separate institutions for boys and girls of high-school age."

"Scholastic standards seemed to be higher then than they are now," said Rep. Ralph McClelland (Boys High, '33), "and education was emphasized more than extracurricular activities."

The threat of integration "makes it even more clear that we should return to the old plan," he said, "at least until such time as the pattern for the future has been determined."

Judge Wofford

Dr. Stephens

Joe Nall

Peggy Ehrlich

Scholastic standards? Listen to Dr. Rual B. Stephens, deputy superintendent of city schools, who taught at Boys and Tech High and also at coed Grady High, where he was principal from 1950-56:

"During one year we had 12 Grady High graduates at MIT (Massachusetts Institute of Technology)—and 11 were on the dean's list."

Coeducation doesn't "necessarily mean a lowering of scholastic standards," said Stephens. "It may; but not if a principal is careful to guard against overemphasis of social activities."

Setting up separate schools under "enforced integration," Stephens said, "would be something which parents should study very carefully and have a strong voice in deciding."

Joe Nall, an all-A scholar and president of the Brown High student body, votes for coeducation because "it's in high school that you get to know girls" and both boys and girls "develop more wholesome attitudes by working together."

But under integration, he added, separate schools "might be a good idea if there's any fear of social mingling . . . but I don't think there'd be any (social mixing)."

Pretty Peggy Ehrlich, copresident of Northside High's student body, fears that in an all-girl high school "you wouldn't be exposed to a great many social situations that you'll encounter later in life."

As for integration, she said she'd rather see segregation-by-sex established "than to see all the schools closed."

"It'd be mighty rough going to an all-boys school with colored boys," declared Tom Wright, Murphy High student body president.

Eleanor Danneman, copresident of Grady High's student body, asserted that 'for girls who're serious about their education, it isn't distracting to have classes with boys."

Coed schools, she said, seem to have "more school spirit."

* * *

**OTHER COMMENTS** on the separate-schools proposal:

**Walter Jackson,** C&S Bank vice president (Boys High, '44)—"Many advantages—for one thing, freer action on the part of school officials in dealing with students." But he doesn't think separate schools "would lessen the problems" sure to accompany token integration.

**Devereaux McClatchey,** former city school board president (Boys High, '22)—"Experience of the whole country indicates it (separate schools) isn't a natural method of education."

**Dr. Manuel Cooper** (Boys High, '37)—The old system provided "a splendid education . . . the high scholastic achievements of old Boys High haven't been equaled in a long while."

**Ewell Pope,** realtor, (Boys High, '45, later an all-conference football guard at Georgia Tech)—"I'm 100 per cent for non-coeducational schools. Only value I can see in them is convenience of location."

**E. L. Floyd,** former principal of Boys High and Grady High—"I consider Boys High one of the great schools—but Grady's also an excellent school. There are too many 'ifs' involved in integration to comment on it."

And **A. C. (Pete) Latimer** (Boys High, '32) felt that because of his position as school board president the only comment he could make would be to point out:

"As part of the (desegregation) plan presented to the federal court, we asked for the right to segregate by sex."

In Georgia—

## Baptists urge: Keep public schools open

The Birmingham News
Birmingham Ala.
Wed 11-16-60

SAVANNAH, Ga., Nov. 16—(AP)—Spokesmen for nearly a million Georgia Baptists have urged state officials to keep public schools open despite the pending integration crisis.

"We pledge our prayerful and sympathetic support," said a resolution passed by voice vote at the 139th meeting of the Georgia Baptist Convention last night.

**The nearly 2000 messengers (delegates) directed their plea to Gov. Ernest Vandiver, the Legislature and all other state, county, city and district officials.**

1400

Another measure, stating that federal court rulings on race relations were "in opposition to the tradition, practice and religious conviction of Georgia Baptists," was rejected when the delegates failed to act on it.

**The defeated proposal, presented by the convention's Social Service Commission, would have urged Baptists, if unable to harmonize their religious convictions with federal law, to "seek some alternative that will conform to faith and continue our position as law-abiding citizens."**

A recent editorial in the convention's publication, The Christian Index, said the commission's resolution would be "interpreted as endorsement for closing the schools if one Negro student is admitted to one school." The Index endorsed an open schools stand.

More than an hour of floor debate preceded the convention's action.

# Arnall, Byrd Rake Griffin For Straddling, Corruption

The Atlanta Constitution, Atlanta, Ga.
Sat, 6/26/60
P-1 & 7-C

By BRUCE GALPHIN

Two political foes swept ex-Gov. Marvin Griffin with crossfire Friday, one accusing him of a corrupt administration, the other of fence-straddling on school closings.

Former Gov. Ellis Arnall in a statement declared Griffin helped bring on the Little Rock school "fiasco" but is now decrying it.

And Lt. Gov. Garland Byrd, like Griffin and Arnall, a potential 1962 gubernatorial candidate, said in effect that Georgia is well rid of Griffin.

Both brickbats were brought on by Griffin's appearance on a television program earlier this week.

On the program Griffin jabbed at Byrd for adding a former reporter as a full-time aide. On this and other details of the program Byrd declined to comment.

But Byrd added: "The citizens of Georgia are fortunate that he is now a former governor—and emphasize former.

"Judging from the graft and corruption in his administration which have been bared and are still being bared, and knowing as I do the high moral standards of Georgians, I think our citizens would like to dismiss Marvin Griffin from their minds and never again hear of him or his administration," Byrd declared.

Arnall poked fun at Griffin's apparent retreat from his former all-the-way stand on school segregation.

Arnall said that "if Gov. Griffin at this late date wants to join those of us who are determined to keep Georgia's schools open and operating, we will welcome him."

But, Arnall continued, "no candidate can duck and dodge" in the next election. "Either we favor open schools with as much segregation as we can have under the law, or we favor closed schools rather than have any degree of integration whatever."

When Griffin was governor, Arnall asserted, "he shouted defiance to the courts. He breathed fire and bragged about how he would close the schools if ever a court ordered integration; he said federal troops would patrol empty school houses in Georgia.

"Now, he is beginning to straddle the fence."

Arnall said Griffin "went to Little Rock, visited Gov. Faubus, influenced him to defy the courts, close Central High School and bring about the Little Rock fiasco. Now he says that he is going to spare the people of Georgia of such unfortunate events . . ."

# Peters To Give School Views At Albany, Columbus Rallies

The Atlanta Constitution
Atlanta, Ga.
P-1

James S. Peters, whose "Dear Roy" letter launched a reappraisal of Georgia's segregation laws, will address two public school rallies in south and middle Georgia later this month.

Peters, chairman of the State Board of Education and patriarch of the Georgia Democratic Party, will speak in Columbus and Albany on "The Importance of Public Education."

Mon, 10-10-60

His talks will be part of a program, "The School Bell Tolls . . . For You," sponsored by the United Churchwomen of Georgia, Georgia League of Women Voters, Active Voters and HOPE.

U.S. Rep. Irwin Mitchell of Dalton, an outspoken supporter of the Sibley Committee recommendation on schools, will address a similar rally in Rome.

Though he has not yet commented directly on the Sibley Report, Peters was the first Georgian in a high official position to warn that it is impossible to maintain both public schools and total segregation.

His letter on the subject to segregation leader Roy Harris last winter is considered partially responsible for the formation of the Sibley Committee, which recommended a "freedom of choice" plan in place of existing laws.

Peters will speak at 10 a.m. Tuesday, Oct. 25, at the First Methodist Church in Albany and at 10 a.m. Wednesday, Oct. 26, at the Rose Hill Methodist Church in Columbus.

Mitchell will be the featured speaker as the series is inaugurated at 10 a.m. Tuesday, Oct. 18, at the First Christian Church in Rome.

A fourth meeting, in Augusta, is slated for Oct. 28 at the Augusta Garden Center.

At each meeting, the League will be represented by Mrs. Phillip Hammer or Mrs. Edward Vinson, speaking on "The Sibley Report and Legal Questions"; Active Voters by James O'Hare Sanders on "Private School Data," and HOPE by Mrs. Beverly Downing on "Ideas for Community Action."

Chairmen and moderators, respectively, at the meetings will be:

Rome—Mrs. Mildred Knight and the Rev. S. Wilkes Dendy; Albany—Mrs. C. E. Blythe and Mrs. George Nelson; Columbus—Mrs. John Patton and the Rev. Richard M. Harlinger; Augusta—Mrs. Patton and Mrs. J. W. Banister.

# Sibley School Solution Gaining, Cherry Asserts

The Atlanta Constitution
Atlanta, Ga.
P-1

Public sentiment throughout the state is swinging behind the Sibley Committee recommendations on school desegregation, DeKalb School Superintendent Jim Cherry said Monday night.

In a speech prepared for delivery at the Fifth District School Boards meeting, he said the people of Georgia are coming to look on the plan as a "workable solution."

Tues, 11-22-60

"Local control by boards of education, pupil placement and parent choice may resolve the conflict between federal and state authorities," Cherry declared.

"If this is done, Atlanta and other Georgia school districts may be spared anxiety, turmoil and civil strife. Many school districts may face no racial problem for a generation, and other school districts will find only a few individuals who will question the legitimate decision of a board of education acting in good faith on questions of pupil placement and school operation," he added.

The DeKalb superintendent said local school officials "have been pushed to the sidelines" in the federal-state conflict.

But there is historical precedent for leaving the problem up to these officials, he continued.

"The 1,200 men and women who serve on boards of education and as superintendents of schools are Georgians by birth. These men and women are citizens of the grass roots communities of the state. They are parents of children. They are identified with the traditions and customs of the state . . .

"With confidence we can rely upon them to find the best answers for the educational problems," he asserted.

Atlanta, Ga.

Cherry noted that the Georgia Education Association, the state PTA organization and the Georgia School Boards Association all have endorsed the Sibley Report.

"There seems to be a growing sentiment throughout the state among parents, business leaders and some political leaders in support of the recommendations of the Sibley Commission, which offers a workable solution for the school dilemma," he said.

"Public education is not an expendable commodity, because the future of free men will depend more and more on the caliber of the public education they receive," Cherry told the group.

"It is folly to believe that the greatness of Georgia can be preserved and protected in the future without an adequate public school system. . . . Time is running out. . . ." he declared.

# Baptists Urge Governor To Keep Schools Open

The Atlanta Constitution

Atlanta, Ga.

SAVANNAH—The Georgia Baptist Convention, representing nearly a million Georgia church members, Tuesday night called on the governor and all other state officials to do whatever is necessary to keep public schools open.

Wed. 11-16-60

The 2,000 delegates to the 139th Baptist convention here also voted to strike down a resolution that flatly opposed intgeration and hinted at the possible necessity of school closings.

P. 1

Dr. Louie D. Newton, pastor of the Druid Hills Baptist Church in Atlanta, introduced the keep-the-schools-open resolution. After an hour's debate, it passed by voice vote with only a smattering of opposition.

1400

The resolution reads:

"Recognizing that public schools are essential in preservation of our democratic way of life we, the duly certified messengers (delegates) of the 139th Georgia Baptist Convention, do hereby earnestly and respectfully petition the governor and General Assembly and all other responsible state, county, municipal and district officials that they take such steps as are necessary to continue the public schools. We pledge our prayerful and sympathetic support."

By JIM BENTLEY

P. 10

Earlier, Montague Cook of Moultrie, introduced the unsuccessful motion that the convention's Social Service Commission report be approved.

Atlanta, Ga.

The report said "federal law now stands in opposition to the tradition, practice and religious conviction of Georgia Baptists."

The motion to accept the report was struck down after Dr. Newton asked the delegates, "Is it fair to the convention to allow itself to be hurt by a situation which we did not create and on which we have not been asked to take a stand?" He said no solution to the school problem was offered in the report.

The report also had been opposed editorially by the Christian Index, official publication of the convention.

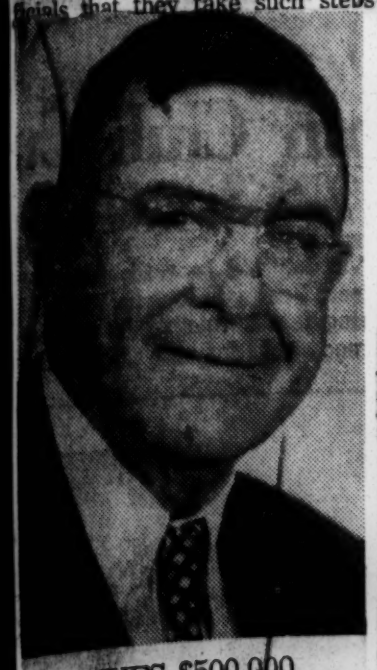
Although defeat of the report had been predicted, the offering of the open-schools resolution came as somewhat of a surprise.

Word of the resolution did not leak out until Monday when Dr. Howard P. Giddens of Atlanta, president of the convention, told an Atlanta Constitution correspondent that the resolution would be offered and that he was mustering support for it.

In Tuesday afternoon's session, Newton announced gifts totaling $568,000 had been presented to the convention.

Warren P. Sewell, Atlanta and Bremen clothing manufacturer, gave the convention $500,000 for a proposed addition to the Georgia Baptist Hospital.

"The gift of Mr. Warren P. Sewell through the Warren P. and Ava F. Sewell Foundation will enable us to complete the $2,500,000 structure," Dr. Newton said.



GIVES $500,000
*Warren P. Sewell*

Others contributing to the building fund were Mr. and Mrs. Henry P. Barksdale of Atlanta, $7,500; I. M. Sheffield, Atlanta, $10,500, and Mr. and Mrs. Guy Rutland Sr. of Decatur, $50,000.

The proposed hospital 10-story addition is to be built over the present three - story educational building west of the main hospital building. The new building will house about 500 nurses and student nurses.

# Baptists Approve Resolution For Continued Schools

Atlanta Daily World

SAVANNAH, Ga. — (UPI) — The Georgia Baptist Convention almost unanimously approved a resolution Tuesday night calling for "the continued operation of public schools."

Louis, 11-17-60

Dr. Louis C. Newton, who introduced the resolution, said he did not have a solution to the racial situation and he said if the church voted either way, on the issue it would divide itself. "We are not under the lash of saying what we ought to do," Newton said.

The resolution said, "We hereby earnestly and respectfully petition the governor, the General Assembly and all other responsible states, counties, municipalities and district officials to take every step to insure the continued operation of pubic schools and we hereby pledge our prayerful and systematic cooperation not to pass judgment on the race issue or what the Baptists will do."

Newton, pastor of the Druid Hills Baptist Church in Atlanta and past president of the Georgia Baptist Convention, said "it is not fair for the convention to hurt itself by a situation we have not created."

Before the resolution was adopted, the Rev. Montague Cook, pastor of Moultrie's Trinity Baptist Church, introduced a report by the convention's Social Service Commission which termed school integration a "social revolution."

The report was immediately attacked by four pastors. The Rev. Brooks Ramsey of the First Baptist Church in Albany said "the whole spirit of the report is in opposition to the principle of the New Testament."

"I hope," Ramsey continued, "the people of Georgia won't be so blind as to abolish the public school system which is the bulwark of democracy."

# Atlantans Urge Vote Reforms

The Atlanta Constitution

Atlanta, Ga.

By RICHARD ASHWORTH

Requests for changes in laws governing elections, public schools and the Atlanta Municipal Court dominated the Fulton County legislative delegation's public hearing Thursday.

Fri. 11-18-60

With the general election still fresh in their minds, several citizens and civic organizations asked election law changes which included:

P. 1

1. Changing the date of the Atlanta primary in 1961 to get it out of the confusion expected to result from the scheduled beginning of Atlanta school integration.

**ABOLISH PRIMARY**

14d(1)

2. A stable, set city primary date—not changed with each election to suit changing conditions.

3. Doing away with the city primary altogether, since it is no longer a "white" primary or a "Democratic" primary and letting city candidates be elected in the general election.

4. Establishing a separate voter registration office.

5. Renewing efforts to have laws passed to allow neighborhood or municipal voter registration.

**WANTS NOMINEE NAMES**

6. Providing a longer period for voter registration prior to elections.

7. Laws to require pledged presidential electors and placing of national party presidential nominees' names on the general election ballot.

8. Financial underwriting of the county primary by the county government, with minimum fees set by the county executive committees of the respective parties.

9. Doing away with primary elections altogether and letting all candidates run in the general election.

10. Passing laws to provide for congressional reapportionment to make Fulton County a single district with its own congressman.

P. 8

The Atlanta League of Women Voters, in a statement read by Mrs. Ray Mitchell, president, backed most of the election law proposals. The organization also urged passage of legislation to keep Georgia's public schools open.

Atlanta, Ga.

W. H. Montague, labor representative, backed open schools legislation and proposals for a late primary, neighborhood registration, a separate voter registration office and allowing more time for voters to register.

P. 1 Col. 1

**FINANCING PROBLEM**

Neill Leach, secretary of the County Democratic Executive Committee, said that financing county primaries by entrance fees charged to candidates is difficult in years when only a few candidates are running.

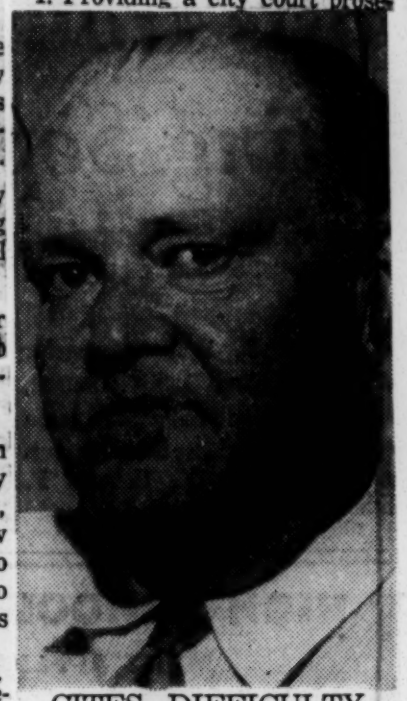
Former County Commissioner R. L. (Shorty) Doyal brought up the matter about the city primary. Doyal, an announced candidate for Atlanta mayor, favored abolishing the primary. He said that since the primary is now open to all candidates, it just amounts to "another general election."

Only anti-open-schools spokesman to speak was Walter V. Powell, a member of Lester Maddox' "Georgians Unwilling to Surrender" group. Powell urged the legislators to resist any changes in the state's school segregation laws.

**JUDGES ASK CHANGES**

Proposed changes in laws governing Atlanta's municipal courts came in for discussion from Municipal judges James Webb and Luke Arnold and attorney Clifford Oxford. Basically, they favored:

1. Providing a city court prose-



CITES DIFFICULTY
*Neill Leach*

cutor.

2. Making the city court a misdemeanor court to keep defendants who are charged with both city and state offenses from having to post two bonds and stand trial in two courts.

**STIFFER SENTENCES**

3. Provide longer sentences—up to six months—for habitual drunks, and some rehabilitative services. Judge Webb said Atlanta arrests for drunkenness are four times above the national average.

4. Allow the city court to punish for contempt in the presence of the court, possibly with $50 fines or 10 days in jail.

5. Increase the pay for police officers testifving in court.

# Adoption of Sibley School Plan Urged on Assembly to Block Closing

CARTERSVILLE (AP)—A member of the Sibley School Committee has urged the General Assembly to adopt the committee's recommendations for local option and pupil assignment to prevent closing of Georgia schools.

Charles A. Cowan, Cartersville mayor, who was a member of the committee as president of the Georgia Municipal Assn., urged adoption of the plan "before the federal courts have assumed jurisdiction of all the state schools."

"As I see it, there is no alternative to the continued operation of public schools in the State of Georgia, and I fully believe that an overwhelming majority of the people of Georgia will come to realize this," he said.

Referring to the federal court order to integrate Atlanta schools next September, he emphasized that Georgia law compels closing of Atlanta schools the minute a Negro is admitted.

"Unquestionably, when this happens, the federal courts will require the closing of all other public schools in Georgia," he told a joint Parent Teacher Association study group of Cartersville. "Unless this action is taken by our next General Assembly before next May, then in all probability, the Supreme Court would not permit such action after the federal courts have assumed jurisdiction of all of our state schools."

# Must Repeal Closing Laws To Save Schools, Sibley Says

Georgia must repeal its school-closing laws if it is to preserve public education and defend itself against "agitators," the chairman of the Sibley Committee declared Thursday.

Though he declined to tell Georgians and state officials "what they should do," Atlanta businessman John A. Sibley warned the present laws "give no protection." . . . they merely open the way for successful litigation by the professional agitator and the political demagogue," he told a joint meeting of West Point, Ga., civic clubs.

*Text of John A. Sibley's address, Page 26.*

". . . Repeal would take the profit out of school litigation and strike the hardest possible blow to the effectiveness of the professional integrationist and race agitator," Sibley continued.

Thursday's speech was the first public statement Sibley has made on the subject since his committee recommended "freedom of choice" laws last spring.

He asserted Thursday "that until the school question is settled, the state will experience a period of hesitation in its growth and development, and unless settled wisely and speedily, hesitation may develop into stagnation."

But he added that "seldom have people had so many favorable circumstances under which to settle a grave and perplexing problem."

The U.S. judge has given time for adoption of new laws, Sibley noted, and that "a new Legislature has been chosen that is free to give the school question renewed study, unhampered by political promises."

Federal courts in the years since 1954 have ruled against virtually

By BRUCE GALPHIN

every feature of Georgia's so-called private school plan, Sibley declared.

But Georgia is left with numerous non-racial criteria for controlling public education, he added. These include:

1. Giving a student the choice of schools he wishes to attend.

2. Granting tuition payments to those who wish to attend genuine private schools.

3. Pupil placement standards including "age of the pupil, his place of residence, his intelligence, his physical condition, his home environment, his aptitude. . . ."

4. Leaving the choice of closing or operating public schools up to the local community.

"Laws based upon the exercise of these powers by the state would create a workable system in which no child against his will would be compelled to attend an integrated school," Sibley stated.

Citing the increasing destructiveness of today's weapons, Sibley told the group:

"It is upon the scientists that our hope of safety and survival and even peace depends . . .

"In the face of such conditions we cannot afford an educational blackout in Georgia or elsewhere."

Sibley reviewed the legal precedents under which the separate-but-equal doctrine had operated for nearly a century.

"The Supreme Court decision in the Brown case departed from the wisdom of the ages and based its decision upon sociological expediency," he said.

". . . the decision nevertheless is binding upon the courts and upon the people and will be enforced and must be obeyed," he added.

# Schools for Negroes Still Unequal In State, Education Official Says

Georgia Negroes are still receiving "separate but unequal" educational opportunities, a Negro educational group charged Thursday.

The Negro group, the Georgia Conference on Educational Opportunities, made this contention in a 56-page booklet, "Georgia's Divided Education."

The first broad charges cited were "In Georgia Negro school children and schools receive $37 per pupil less than white children in current expenditures; receive only one-fifth of the money spent for maintenance of school buildings; have fewer accredited schools; have teachers with more training and lower salaries; have only one-sixth of the state's library books; and receive only six per cent of the state's expenditure for higher education."

An immediate response to these over-all charges came from T. A. Carmichael, director of the division of Negro education at the State Board of Education.

Carmichael said, "The State Department of Education pays the same salary scale for all teachers, Negro and white, and it also pays an identical allotment for each child whether Negro or white.

"If there is any discrepancy in the amount spent, it must come at local levels. The state department sends the local levels the same amounts on a per capita or per teacher basis."

Of the 11 urban areas included in the report, three were found to be spending more per pupil for Negro students than for whites. These were Chatham, Fulton and DeKalb counties.

Paul West, superintendent of the Fulton County Schools, said, "I did not realize this was so, but if we are paying more for a Negro child in our system than a white child, it may be because we have a very small Negro high school and we have to offer the same program there we offer in our white schools."

"It costs more per pupil to support a very small school than it does a large one," he explained.

# Four Georgia Groups Back Open Schools

MACON, Ga. — (ANP)— Four organizations supporting open public schools have launched an effort to swing public opinion behind the majority recommendations of the Sibley School Study commission.

Termed "Operation Last Chance," HOPE, Inc. (Help Our Public Schools) started an intensive effort to secure backing of the program before the legislature meets in Janurary.

**IN THE FACE** of a federal court order requiring desegregation of Atlanta schools May 1, 1961, and a state law requiring the closing of any public school that is desegreted, the Sibley commission had recommended the legislature approve: (a) a pupil placement plan; (2) submitting to the people a constitutional amendment to provide for local option on desgregation.

HOPE was joined in the effort by the United Church-women, active voters and the Georgia League of Women Voters.

**A SERIES OF** meetings over the state was planned. Prominent Georgians were speaking on the theme, "The School Bell Tolls for You." Among the speakers were James S. Peters, chairman of the State Board of Education, and U. S. Congressman Erwin Mitchell of Dalton.

Robert O. Hunter, Atlanta board chairman, said Hamil E. Holmes and Charlayne A. Hunter had failed to complete required procedures for admission by failing to undergo personal interviews with the university admission officialls.

University registrar Walter N Danner said he interpreted the board's action to mean the boy and girl may "take up their applications at the point they were before."

# Inequality in all phases of educatio

The Afro-American
Baltimore, Md.

ATLANTA, Ga.—"If Georgia were truly to 'equalize' colored schools and undo the damage already done by providing colored pupils for decades with inferior schools, she would have to provide better schools for the colored children than for whites.

Instead, she is still providing them with inferior schools."

This is the conclusion of a report, "Georgia's Divided Education," drawn up by the Georgia Conference on Educational Opportunities. This group was formed in 1958 when the governor of Georgia called several hundred business and educational leaders to an Atlanta meeting to discuss educational problems.

There were no colored educators or lay citizens invited to the meeting. Concerned colored citizens then held their own meeting, sent telegrams of protest to the governor concerning their exclusion, and got to work on a study of their own.

Chairman of the group was Jesse O. Thomas.

* * *

**THE REPORT** made by this group after its studies revealed shocking inequities in the quality and quantity of education afforded colored persons under Georgia's jim crow school system. The report showed that state schools are still separate but unequal.

Researchers studied various phases of public school education and discovered well-established, consistent discrepancies which educationally crippled colored children.

This led to the conclusion that to bring the colored section of the jim crow system up to standard, more money would have to be spent.

* * *

**HERE ARE SOME** of the findings of the Conference's study:

In Georgia, colored pupils and schools receive an average of $37 per pupil less than white pupils. The report divides Georgia's schools into three "samples" which are relatively similar as to rural or urban location.

In one, colored pupils received an average of $29 less than white; in the second, the discrepancy was $25 and in the third, colored pupils received $72 less than whites.

Although colored pupils represent a third of the school population, they receive only one fifth of the money spent for school building maintenance, have fewer accredited schools and have only one sixth of the state's library books. In one sample group, white schools received 95 per cent of the library books while colored pupils received only five per cent. The "best" area had colored pupils getting only 26 per cent of the library books.

* * *

**ONE OF THE MOST** glaring inequities, however, is in the area of teachers' salaries. In Georgia, colored teachers have more education than white teachers but they are paid less.

For the state as a whole, colored teachers had an average of 4.1 years of college-level teacher training. They generally received, however, $199 less per year than white teachers.

In one sample group, white teachers averaging less than four years of college were paid 03,596 per year while colored teachers with a full four years of college received only paid $3,350 for a difference of $246.

The report also showed consistent discrepancies in such areas as: attendance officers, visiting teachers, high-school completion, maintenance and operation expenditures (with colored pupils receiving only 21 per cent of this budget);

Also: School buses, teacher load, instuctional and textbook supplies, guidance personnel, kindergartens and classes for exceptional children, and schools for handicapped children.

# Atlanta To Avert Turmoil In Schools, Letson Forecasts

The Atlanta Constitution
Atlanta, Ga.
Thurs. 11-17-60

By MARION GAINES

City School Supt. John W. Letson expressed "great faith" Wednesday that Atlanta will resolve its school integration crisis "without destroying" public education and "without going through" the turmoil that beset "Little Rock, Virginia and now Louisiana."

The integration crisis, however, was listed by Letson as one reason that consolidation will not be recommended "in the immediate future" for the Atlanta and Fulton County school systems.

Dr. Letson warned that Atlanta is confronted by "the same basic conflict"—of state versus federal power—which is now being fought out in New Orleans.

Although the final "decision lies outside" the domain of public school officials, Letson said he holds "a great faith" that Georgia leaders and the General Assembly will come up with "an answer which will not contribute to a blight in the City of Atlanta that would do untold damage."

The school desegregation troubles which Little Rock, Virginia and New Orleans have suffered constitute "a number of case histories that are available for our consideration," said Letson.

Furthermore, he stressed, they are "case studies which should be required reading" for Georgians seeking ways to avoid a wholesale shutdown of public schools in this state.

It was the strongest and most outspoken appraisal of the integration crisis here that Letson has made since taking command last July of the Atlanta schools, which are under federal court order to begin desegregation in 1961.

Speaking at a luncheon meeting of the Atlanta Voters Guild, Letson said he believes Atlanta will meet the crisis "without going through what has been indicated by these case studies" of other integration trouble-spots.

Letson was asked by a guild member if integration in Atlanta high schools would upset "athletics, clubs and other social activities."

"Inevitably it would create problems," he replied, adding: "The type of problems that we will have to play by ear."

Dr. Letson also touched on recommendations that the Local Education Commission of Atlanta and Fulton County, which has been studying school improvements and possible consolidation for two years, is expected to present to the 1961 General Assembly.

The commission's final report will be made public "sometime" soon, he said, and one recommendation "will not be that the two school systems proceed in the immediate future" with consolidation.

"There's a recognition of financial problems," Letson said, as well as "other problems that would complicate" consolidation.

Letson said in answer to newsmen's queries that the integration crisis definitely was among the "complicating problems" of consolidation.

The commission's recommendations will point out that many objectives of consolidation can be attained through "effective cooperation" between the Atlanta and Fulton systems.

He cited the Metropolitan School Development Council, which the two systems already have set up to handle joint utilization of educational television, a joint teacher career program and joint research activities.

14d(1) 1960

GEORGIA

# South Georgian All-Out Effort To Offer School To Save Schools Placement Bill Planned in C of C

The Atlanta Constitution

Atlanta, Ga.

Tues. 11-29-60

## Finds Help For Plan In Colquitt

Atlanta, Ga.
Fri. 11-25-60

By BRUCE GALPHIN

A southwest Georgia lawmaker revealed plans Thursday for legislation to give each of the state's 197 school boards power to draw their own pupil placement regulations.

Rep. David Newton of Colquitt County said he will offer the plan at the 1961 legislative session if a study shows the local boards do not already have such power.

The legislator said the plan in effect admits that there may be some desegregation in Georgia.

**CAN'T SECEDE**

"I'm not in favor of integration, but we can't secede from the union," he added.

Newton said he had discussed the school question with Farm Bureau members and other constituents and found that "sentiment would go along" with such a plan.

He credited the shift in sentiment to the Sibley Committee hearings and integration tests in other states, such as Louisiana.

**BETTER CONTROL**

Newton opposed any single statewide set of pupil placement standards. He said local boards could exercise better control if they could draw up their own regulations.

He also expressed doubt that any massive repeal of existing school-closing laws would be adopted by the 1961 General Assembly at its January-February session.

A member of the Sibley Committee majority, Rep. Howell Hollis of Muscogee County, said Thursday that he saw no "substantial danger" in waiting for courts to invalidate the school-closing laws.

He said there probably would be time for legislative action, after U.S. District Judge Frank Hooper enters his final order on Atlanta school desegregation, to decide what new legislation is needed.

But Hollis added that "I'd hate to see the General Assembly or the administration let the people be misled into thinking there's any hope of avoiding the court ruling."

Hollis, who did not seek re-election this year, said there has been a "growing realization" throughout Georgia of "the futility of trying to block (desegregation) by these laws."

**AWARE OF FACTS**

He said people are "just as ardently for segregation" as before but that they are becoming aware of the facts.

Newton said his pupil placement proposal is being studied by the office of the Legislative Council.

A preliminary study indicates county school boards may already have power to draw pupil placement regulations but that independent systems' boards may not, he explained.

**AMENDMENT FORM**

The plan probably would have to come in the form of a proposed constitutional amendment to be voted on in 1962, Newton said.

Administration sources have indicated there may be growing support for another proposed constitutional amendment guaranteeing that no child would be forced to attend school against his will with a member of another race.

One of the Sibley recommendations, this amendment would have the effect of keeping compulsory attendance laws in force, Hollis said.

## Ivan Allen Lays Down 6 Key Goals

By MARVIN WALL

Six major goals—including all-out opposition to school closings—were outlined for the Atlanta Chamber of Commerce by its new president Monday night.

Ivan Allen Jr., elected president at the group's 101st annual meeting, said the Chamber "must clearly set forth to the public at large and the business community in particular the full implications of the Little Rock and Norfolk and New Orleans stories."

**BACKS SIBLEY REPORT**

Allen said the Chamber should officially endorse the Sibley Committee's majority report and "actively work" for pasasge of open-schools legislation at the January session of the Georgia Legislature.

"Atlanta's public schools must stay open and the Chamber should provide its share of vigorous leadership in seeing that they do," Allen declared.

The other five goals listed by Allen in his address to the dinner meeting were:

1. Push for completion all projected expressways by 1970.

2. Press for a "practical, large-scale" rapid transit system.

**URBAN RENEWAL**

3. Back urban renewal and particularly aid efforts to expand Negro housing opportunities.

4. Support plans for a new auditorium-coliseum and stadium.

5. Inaugurate a three-year "Forward Atlanta" promotion and advertising program, supported by an annual budget of at least $500,000.

Allen said these goals were among those considered most important for Atlanta in a poll of Chamber members several months ago. The two goals applauded Monday night were those concerning public schools and expressways.

Allen said the uncertain future of Atlanta's public schools is already "a negative factor in Atlanta's future economic picture." He added:

"Atlanta people are willing to pay any dollar price or make any dollar sacrifice to maintain the status quo of segregated schools, but this is not the question or now today the answer."

# INTEGRATION WASN'T AIM OF REPORT ON INEQUALITY

By MIKE EDWARDS

Integration was not the stated goal of a Negro education group which complained of separate but unequal schools last week, the group's chairman says. But its charges may be a useful argument for integration forces.

Having been told by various state officials in 1958 that education facilities for the races were substantially equal, the Georgia Conference on Educational Opportunities "decided to determine to what extent it was true," said its chairman, Jesse O. Thomas, retired Negro social worker.

**"WHAT WE ATTEMPTED** to do is have the state of Georgia do what it says it is doing. We want it to enforce the law it made."

So last week, the conference issued what is believed to be the first facts-and-figures report charging that Negro schools get less of many things than white schools do. It is a booklet entitled "Georgia's Divided Education," and it says, among other things, that:

- Negro schools receive $37 a year less per pupil than white schools.
- Negro teachers make $199 a year less than white teachers, although they have more college preparation.
- Compared to white schools, only a small number of Negro high schools in rural areas are accredited.
- Negro schools get only one-fifth of the school maintenance money.
- They have only one-sixth of the library books.
- Only 6 per cent of the state's expenditures for higher education is for Negroes, even when out-of-state tuition grants are included.

* * *

**FOR THE MOST** part, the study was based on 57 school systems of various sizes, although some statewide figures are included. Generally, the figures are those for the 1958-59 academic year, the latest, the booklet says, which are available.

While there have been great improvements in Negro education in recent years, the booklet says, the difference between white and Negro schools, from a money standpoint, continues to be about the same.

State School Supt. Claude Purcell answered some of the complaints by saying there isn't any discrimination at the state level. What there is, he said, is at the local level, in local supplements and the use school systems make of money which isn't earmarked for white or Negro use.

* * *

**MR. THOMAS BELIEVES** the report will open the eyes of many persons — Negroes who have no idea what white schools are like, he said, and school officials who have "been doing this ever since we'd had a public school system."

As for the segregation-integration controversy: "It removes from the argument the justification for segregation that the Negro is satisfied."

One observer of school integration battles described the matter of inferior Negro schools as an important one—one, he said, that has been used in court cases in some other states.

Mr. Thomas seemed more concerned with the shock value of the findings. He said "Our belief is that a large number of white citizens, both in public office and private life, will be shocked when they see what a differential is imposed upon one-third of the population.

* * *

**"THIS INFORMATION** represents what the school superintendents themselves said they were doing with the money. It isn't what Khrushchev accused them of doing, or the NAACP or the Yankees."

# Twitty, Sanders Expect Closing Laws To Stand

By BRUCE GALPHIN

Any proposal to repeal Georgia's school-closing laws at the January-February session of the Legislature will fail, state House and Senate leaders predicted Friday.

At the same time, in a wire to Gov. Vandiver, the chairman of HOPE, Inc., protested the "casual prediction of a 'temporary' closing" by the House floor leader.

Defeat of new school laws in the next legislative session was predicted in Savannah by House Floor Leader Frank Twitty and Senate President Pro Tem Carl Sanders.

**WANTS TO TEST LAWS**

Sanders indicated the "freedom of choice" plan recommended by the Sibley Committee will not be given consideration until and unless courts strike down existing school laws.

"First we want to find out how our laws will stand up," he declared.

But he added that a special session of the General Assembly might have to be called next summer to keep schools from closing.

**REACTION TO SIBLEY**

John A. Sibley, chairman of the committee which recommended a new approach to the school problem, told a gathering of West Point, Ga., civic clubs Thursday that court rulings in other states already have effectively destroyed Georgia's school-closing and "private" school laws.

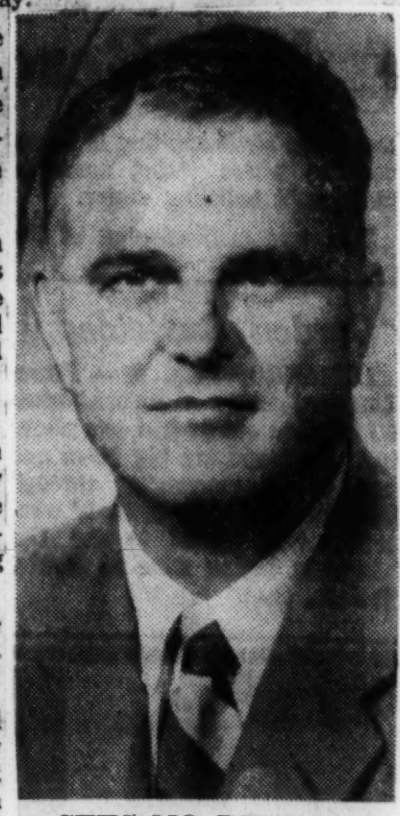
But Twitty in effect Friday told Sibley and others to leave the Legislature alone.

"We have not yet reached the point where we've got to act," he asserted.

Both Twitty and Sanders at a pre-legislative forum in Macon Thursday said the Legislature would act to preserve public education after a "temporary" shutdown.

**HELD 'DANGEROUS'**

That stand was hit Friday by Mrs. Thomas Breeden, chairman of HOPE, in a telegram to Vandiver.



SEES NO REPEAL

*Frank Twitty*

Twitty's prediction, she wired, "indicates that you plan a course of action which is both dangerous and indefensible.

"The price Georgia would pay if her schools were closed for even one day would be prohibitive . . . not only in terms of dollars and cents but also in terms of national and international prestige, public morale and our responsibility to our children," she declared.

Twitty, in Savannah with the Chamber of Commerce-sponsored pre-legislative forum, said in an interview:

"Mr. Sibley and his committee have made known their views through hearings and their report. I can't see any good to be accomplished by Mr. Sibley going over the state and continuing to call for repeal of our segregation laws.

(Sibley in his speech Thursday said he was not recommending anything but merely warning that if public education is to be preserved, the laws must be changed.)

# 3 Georgians In Louisiana To Observe

By KEELER McCARTNEY

Two Atlanta police captains and a GBI agent were sent to New Orleans Wednesday as observers in the school integration crisis.

Captains R. E. Little Jr. and J. L. Moseley along with GBI agent Arthur Hutchins left by automobile Wednesday afternoon. They are scheduled to remain in New Orleans Thursday and Friday and return here Saturday.

**AT CONFERENCE**

The decision to send observers to New Orleans was reached at a conference between Police Chief Herbert Jenkins and Col. W. P. Trotter, director of the State Department of Public Safety.

Both said they wanted an "on the ground" report of problems in the law enforcement field. Neither would elaborate upon what they expect the officers to bring back in the form of reports or recommended changes in procedure.

"We learn by observing," Chief Jenkins said. "Some things became apparent in the Little Rock crises. Others are developing in Louisiana."

Trotter and Jenkins declined to elaborate further.

However, with Atlanta facing school integration next year, the move was considered in the light of profiting by the experience of others.

**OPINIONS DIVIDED**

In the Little Rock crisis and again in New Orleans, it was pointed out, there were divisions between state and local law enforcement agencies over the integration question.

Hutchins is regarded as one of the most able GBI investigators. Little is a captain in the detective bureau who has been directly in charge of problems arising from Negro sit-in demonstrations in Atlanta. Moseley is commander of the day watch uniform division, the watch most likely to be concerned with the school problem should it develop here.

# Georgians 'Scream' Over Prospect Of Integration

By BAKER E. MORTEN

Every now and then they throw both hands skyward and scream in the South instead of turning to violence when racial equality is mentioned. The latest scream comes from Georgia where plans are being formulated this year for school integration under Federal court orders.

Evincing the cry is a farmer's wife from Georgetown, Ga. and a segregationist from Valdosta, Ga. Both had their views on the NAACP and school integration published in the Letters-to-the-editor section of a Georgia newspaper.

Here's how the farmer's wife feels in her scream which was entitled, "Education Not Worth Race Mix":

**MAD ABOUT MIXING**

"Yes, I am still mad about the first mixing of races. If I live to be 80, I'll still be mad. Pray tell me — does the Supreme Court know what they are in for? How long do they think they will last?

"The day they order the bell to ring for Negro children to walk in the white classroom, my kid's education ends and he learns a new skill. The atomic bomb could not possibly do the damage this can do. For 15 years now I've heard it can't be done and no one has offered to stop what can't be done.

"You don't know how hate can go in three generations where mixing of the races was forced. Pray to God people won't let an education cause them to give up, throw both hands in the air and say mix my kids. What is a year of school?

**GAVE UP SCHOOL**

"I stayed out one year and learned a machinist trade. Another thing, when the North went to all the trouble to call themselves freeing the Negro, why, may I ask, is it they didn't take them back there with them? You see they didn't; they left them to still depend on the white man to feed this 100 years.

"They are now arranging it to where the women are going to have to make sifters out of them."

Those comments were signed by the Farmer's Wife from Georgetown, Ga."

Preceding this spiel by a day or so came a verbal barrage in agreement with an editorial the Georgia paper printed entitled "The NAACP Bares Its Goal." J. O. Rodgers of Valdosta, Ga. signed his name to the following comments:

**THE HIGH COURT**

"The Supreme Court made a disastrous decision in 1954 relative to integration of the races in our public schools and elsewhere. The NAACP sponsored this movement and has the support of the Federal Government. Anyone should have sense enough not to accept Communists' suggestions or conclusions.

"Regardless of where a man is from, I agree with him when he asserts that if integration of the races is continued, it will destroy the friendly relations existing between white and colored people. I further agree that the NAACP is not interested in the real education of colored children, but in social equality only.

"Nevertheless, President Eisenhower defeated justice in the South when he ordered Arkansas to be invaded. His act as Chief Executive is simply inexcusable.

"I further agree that the NAACP cannot continue to do what they are now trying. They are a bunch of liars and should have their noses pinched off with pliers."

**WHEN IT STARTED**

(ED. NOTE TO THE FARMER'S WIFE: Race mixing was started by whites during the years of chattel slavery. Many white men today, who cry loudest against integration of the races, seem to have no objection to boudoir integration with colored women.)

(ED. NOTE TO RODGERS: This is the 20th Century.)

# Private School Plan In Counties Urged

## Vandiver Action Sought By Tift's Rep. Bostick

A deep south Georgia legislator urged Sunday that Gov. Vandiver take the lead in encouraging the formation of private school groups "in every county" in order to put Negroes "on notice that the white people intend to have segregated schools."

The proposal was made by Tift County Rep. Henry Bostick, one of the incorporators of the Tift County Private Schools, Inc., which was chartered last Friday.

Tift was the third county within a week to lay plans for launching private school systems if necessary to avoid integration.

**OTHERS FORMED**

Private school organizations also were formed last week by white citizens at Dublin (Laurens County) and Waynesboro (Burke County). Last month a group of Elbert countians met at Elberton —in north Georgia—and made organizational plans for setting up an Elbert County private school foundation.

A similar standby corporation, Patrick Henry Schools, was chartered last summer in Atlanta by a group of northside Atlantans led by attorney Moreton Rolleston.

The idea of private schools—to be used "just in case"—appears to be picking up momentum and Rep. Bostick thinks it should be given every possible impetus.

**EVERY COUNTY**

"It'd be the best thing in the world if every county in Georgia would set up a private school plan," he said. "It would put those people on notice that the white citizens are going to have segregated schools in any event."

The forming of private-school plans on a statewide basis would serve as a "psychological" weapon to deter Negroes from filing desegregation suits, he said.

Rep. Bostick said Gov. Vandiver "should encourage each county to get ready now."

The Tift corporation chartered Friday was formed as a profit-making organization, he said, and "later we'll organize a nonprofit corporation."

**PURPOSE OF PLAN**

The purpose of two organizations, he said, is to insure that Tift County will be eligible for state tuition grants if the need arises and it's decided that one or the other type of corporation (profit or nonprofit) isn't eligible for the grants.

Bostick noted that the federal courts have ruled in Virginia that public school buildings can't be used for private-school purposes to avoid integration.

"That's over in Virginia," he said. "We can try it and use 'em until somebody stops us."

Then, he said, Tift countians would utilize "theaters, National Guard armories, churches, private homes—anywhere. It'd require some sacrifices but it'd be worth it."

**CAN BE HELD**

School can be held, he said, even if it isn't in a regular school building.

"If our high school burned down tomorrow, you don't think we'd stop having school, do you?" he asked.

At Dublin, Dr. Fred J. Coleman, chairman of the private school organizers, said Laurens County citizens "want to be ready and well prepared, just in case."

"In the case the public schools are closed," he said, "We certainly don't want our children sitting around idle for a year."

# GOOD OMEN SEEN IN RACIAL STRIFE

## Negro on Atlanta's School Board Discerns Trend Toward Agreement

ATLANTA, April 9 (AP)—This country's racial upheavals will ultimately produce a closer understanding between the races, says the only Negro member of a major city school board in the deep south.

"We are moving toward acceptance of an individual on his worth—not his color," said Dr. Rufus E. Clement, president of Atlanta University, a Negro college with 4,000 students.

Dr. Clement, 59 years old, has been elected twice to the nine-member Atlanta School Board. Both times he defeated white opponents in a city-wide election in which white voters outnumbered Negroes 4—1.

Negroes have been elected to city councils in such southern cities as Richmond, Va., and Nashville, Tenn., but they were chosen in wards with predominately Negro residents.

**Hopes For Accord**

Despite the wave of recent demonstrations in many states, Dr. Clement said in an interview that there was hope for eventual settlement of differences between the races.

He said the southern lunch counter protests "show people dramatically the disabilities under which the Negro in America lives. I can see a change in the South in the attitude toward the Negro."

Dr. Clement was graduated with highest honors from Livingstone College, Salisbury, N. C., in 1919 and won a bachelor of divinity degree from Garrett Biblical Institute, Evanston, Ill., in 1922.

Northwestern University bestowed a master's degree on Dr. Clement the same year and in 1930 Northwestern awarded him a doctorate.

He has been president of Atlanta University since 1937.

**Happy on Board**

Of his work on the school board he said:

"My experience has been a wonderful one. I know that we are moving in the right direction. I know many fine, outstanding white persons and this convinces me that there must be many, many others like them."

"I got into politics because I felt that Negroes, who comprise one-third of Atlanta's population, needed representation on a policy-making board.

He said he also wanted to create interest among Negro voters and felt one of the best ways to accomplish this was to provide a Negro candidate.

"White persons in Atlanta have come to accept me for my individual worth and accomplishments, despite the fact I am a Negro," Dr. Clement said.

He said he saw more than a glimmer of hope for the future. He pointed to municipal employment as one area where the Negro had made significent advancement in the last ten years.

"There are fifty to 100 Southern communities which now employ Negro policemen, including smaller towns as well as large cities," Dr. Clement said.

# Atlanta Integration Is Delayed a Year

The Philadelphia

ATLANTA, May 9 (AP).—Federal Judge Frank A. Hooper Monday postponed putting school integration into effect in Atlanta until May, 1961. "It's the last chance this county can give the Legislature of Georgia to avoid what may come," Hooper said.

He said he would delay the effective date until next May, and would require that it apply to both the 12th and 11th grades as of the September, 1961, school year.

The desegregation plan submitted by the Atlanta School Board under Hooper's order had provided for integrating only the 12th grade at the start.

Although he had previously ruled that Atlanta must desegregate its schools, the judge had not set an effective date. The National Association for the Advancement of Colored People had asked that desegregation begin with the September, 1960, school year.

Hooper said the delay to 1961 was granted because: "Georgia might change its mind next January and allow Atlanta to have some integration, rather than to risk the dam breaking and flooding the whole State."

The judge said, "The last Legislature was made up of men who, almost without exception, ran on a platform of no integration whatever," but "a great many things have happened since they were elected."

Hooper did not discount the possibility that members of the next Legislature "may find themselves in such a position that they can't vote for any give at all in the Atlanta situation."

# Predict Agitation Over Atlanta Desegregation

Chicago Defender

Chicago, Ill.

NEW YORK — (UPI) — Ralph McGill, Pultizer Prize winner and publisher of the Atlanta Constitution, said Friday that there "almost certainly will be agitation and attempts at agitation" if public schools in Atlanta are integrated next year.

Sat. 6-11-60

McGill was one of many speakers on a special hour-long CBS report entitled "Who Speaks For The South?" The symposium included two public hearings on school integration in Georgia, one in Atlanta and the outher in rural Moultrie.

Among those appearing on the program were both whites and Negroes, clergymen, state officials, plain citizens and housewives.

Asked if he expected trouble should the public schools in Atlanta be integrated in September, 1961, as ordered by U. S. District Judge Frank Hooper, McGill said:

**TROUBLE PERHAPS**

"There might be some, sir, and there probably, and almost certainly, will be agitation and attempts at agitation. But we have a very fine Mayor, a wonderful Chief of Police, a fine staff of police which will do their duty."

McGill, added however, that with help from the Sheriff's office, "and if other neighboring fanatic elements or extremist elements don't send in people from outside, we'll get along without any trouble."

Judge Hooper's school integration ruling runs head on into state law, which provides that any school which integrated must close.

McGill also criticized the Georgia "county unit" voting system which gives great power to rural areas in state-wide balloting. He described it as "a very frustrating thing that keeps us in political bondage."

Georgia Gov. S. Ernest Vandiver defended the county unit system, however, describing it as "in the best tradition of representative government." He said it assured "a diffusion of political initiative over the entire state" and prevented the possibility of a "Tammany Hall" or a "Prendergast Machine."

P. 3

Vandiver also opposed the integration of Atlanta schools which he said would have "bad consequences."

"Certainly where integration is forced, a lot of difficulties ensue," Vandiver said.

Vandiver also said that the people of Georgia, both white and colored, feel that separate educational facilities "are best for both races."

McGill said that one of the South's chief troubles stemmed from the "industrial revolution" it is undergoing. He said as the South becomes industrialized, people are pouring into the cities from rural areas who lack education and feel insecure. These people not only overload the school systems but "they fall pretty easy prey to all sorts of demagogic assertions.

Most of the program was devoted to the two hearings on school integration in Atlanta and Moultrie, a small rural community. The hearings were presided over by Atlanta Banker John A. Sibley, who heads a school study committee set up by the 1960 state legislature, which refused to change the state laws designed to close any integrated school.

The study committee asked residents of Georgia's 10 congressional districts which of two options they preferred. Option one would continue segregated public schools in accordance with state regulations, even if this led to integration, and the substitution of a system of private education. Option two would permit local communities to decide their own school policy free from state control, even if this led to integration.

## We Don't Agree

The Afro-Am

Dr. Rufus E. Clement who is president of Atlanta University and a member of the Atlanta school board was the principal speaker the other week at the kickoff luncheon of the United Negro College Fund drive in Buffalo.

Baltimore, Md.

"It is not an idle threat," he said, "that the public schools in some Southern states might be abolished rather than accept integration. I would rather see segregation continued a little longer than to have public schools abolished."

Sat. 6-11-60

This is a remarkable statement with which we are in complete disagreement.

P. 4

If public schools are closed by bitter - enders who refuse to compiy with the law, we must sue to open them and we will win.

To end segregation we may have to go to jail or do without public schools for a time.

The price of liberty is often high. But he who would save his life, the Scriptures say, must be prepared to lose it.

# Byrd Rips Arnall As an 'Extremist'

Atlanta Constitution

Atlanta, Ga. Sat. 6/11/60 P. 1

By GENE BRITTON

Taking a swing at former Gov. Ellis Arnall, Lt. Gov. Garland Byrd said Friday the state would be better off if "extremists" did less talking and more cooperating.

Byrd, an unannounced candidate for governor in 1962, made his remarks in response to a television interview earlier this week in which Arnall, who describes himself as a "conditional" candidate, forecast the doom of the county unit system.

"The political predictions Gov. Arnall has made since 1946, with one or two exceptions, have been in error," Byrd observed.

Referring to a third potential candidate for the 1962 gubernatorial race, Arnall said former Gov. Marvin Griffin was adopting the "closed schools issue," while he, Arnall, would run on the "open schools issue" if the schools should be closed to prevent integration.

Byrd said Friday he knows of "no responsible state official who contemplates closing the schools in Georgia."

As for himself, Byrd said his "record has been clear during my experience in public life that I have never wavered from a political philosophy that is well known to all Georgians."

P. 5

The lieutenant governor said:

"Fortunately, I'm in the position of not having to apologize for my conduct in the past and I intend to conduct myself in a manner that the people of my state will not have to be embarrassed in the future.

"If we had less talk and more understanding and help and cooperation from the extremists, our task would be much easier."

Byrd made his speech to a civic club in Newnan, Arnall's home town, during Arnall's television appearance in Atlanta.

# PTA Urged To Fight For Schools

By BUDDY DAVIS
Constitution Staff Writer

ATHENS—Georgia PTA officials were urged Tuesday night to provide leadership necessary to preserve public schools in the segregation crisis.

Minton V. Braddy, president of the Guy Webb PTA in Fulton County, charged, "Political leaders have heaped fuel on the fire and made us drift farther apart."

Braddy said most Georgians want separate schools but that they also overwhelmingly favor public schools.

**SECRET BALLOTS SOUGHT**

Calling on 300 local PTA leaders from throughout Georgia to present facts to their local groups, he sought secret ballots so the local press and office seekers would know Georgia sentiment.

Referring to primary elections in September, he said the secret ballot would inform the press and local office seekers of local sentiment for the preservation of public schools.

Braddy was one of three speakers on the segregation issue before the three-day 38th annual Summer Institute of Georgia PTAs. The other two speakers rejected private schools as a solution to Georgia's segregation crisis.

**CHERRY'S POSITION**

DeKalb County School Superintendent Jim Cherry said that all of Georgia's private schools today could handle only 30,000 students which, he said, would not be sufficient even for normal annual growth of enrollment.

Citing a period between 1840 and 1877 when Georgia had no public schools, he said private schools had failed to educate Georgia children.

Cherry cited figures to show that parents would have to pay $500 to $550 in tuition alone for each child each year if Georgia were to resort to private schools.

**RAPS PRIVATE SCHOOLS**

Newell Edenfield, past president of the Georgia Bar Assn., also said private schools were not the answer.

If Georgia compels attendance in private schools, he said, the courts would rule the schools were no longer private and would force the private schools to be integrated.

Edenfield also said that if Georgia abandons all schools, Congress doubtless would find education necessary for the national welfare and set up national schools.

# School Fund Bias Is Charged

By GENE BRITTON

The head of the statewide Negro teacher organization charged Monday that local school boards are discriminating against Negro schools in distribution of funds.

L. H. Pitts, executive secretary of the Georgia Teachers and Education Assn., told the State Board of Education that "continued delay (in eliminating racial discrimination in school administration) on the part of the political and educational leadership . . . will only serve to widen the gap of unequal opportunities and increase the tensions, which already have us sitting . . . on a powder keg."

He said most of the current racial troubles in Georgia do not stem from the U.S. Supreme Court's 1954 desegregation decision, but from its 1896 decision which upheld the doctrine of "separate but equal" facilities.

The Georgia Teachers and Education Assn. for Negro teachers corresponds to the Georgia Education Assn. for white teachers.

Pitts drew arguments from some members of the state board after he read his four-page prepared statement.

Board Members Lonnie Sweat of Blackshear told Pitts he had been dealing in generalities. "It would help if you could give us something more specific," he said.

In his statement, Pitts said there are counties in Georgia where "records will indicate that thousands of dollars which by every right ought to have gone for the maintenance and operation of Negro schools have never reached the individual schools or classrooms." He asked the board for new regulations for distribution of the funds.

"There is one county in Georgia with more than 3,000 Negro students and less than 2,500 white students where the State School Building Authority has spent more than half a million dollars in constructing five new buildings and there is not a janitor in the entire county working in Negro schools," he said. He added that he had asked one Negro principal how many janitors worked in his school and that the principal replied 23, indicating his 23 teachers.

Board member Paul Stone of Waynesboro said his son was going to school in a building more than 40 years old whereas Negro students in his county were attending a new school. Both were locally financed, he said.

"If there's discrimination anywhere it's against the whites,' Stone added.

Pitts said that he thought the board "would be shocked if it saw a county-by-county comparison" of facilities over the state.

Pitts said there was a wide difference of maintenance and operations funds spent for Negro and white schools in Burke County.

On the topic of school bus transportation, Pitts told the board:

"The practice of buying new buses for white schools and giving the old buses to Negro schools is still a glaring blight on the educational highways of Georgia."

# The Charles Lincoln Harper High School

Atlanta Daily World, Atlanta, Ga. Wed. 6/15/60

No finer selection could have been made than the naming of the new high school to be constructed on the Atlanta westside, for the late and lamented Professor Charles L. Harper who was the principal of Atlanta's first high school for Negroes from 1924 to 1942 when he was retired.

Educated at Morris Brown, where he taught mathematics for many years, and the University of Chicago and Northwestern University, he literally devoted a full life to the cause of higher education.

He was among the early youth coming to Atlanta at the turn of the century to give his portion in the field of education. To this end did he devote his whole life, for after he left the schoolroom he labored in the great school of American citizenship.

Hardly any worthwhile project has emerged in this section but what his name is not written somewhere on its ledger.

While still a principal in the high school system of the city, Professor Harper nevertheless devoted much of his time and talent to the cause of racial awakening. On the voter front he was conspicuous and in the early struggle for equal salaries for teachers regardless of race, he stood boldly on that front until this became a reality.

It could be said without successful contradiction that Prof. Harper did more to foster public education for Negro children of Georgia than any other individual. His labor was a labor of love; he sought no laurels, asked no credit. Long after stronger men would have taken refuge in an easy chair of retirement, this builder of men was trudging through the backwoods of Georgia stimulating the local citizens in those counties to work toward new and better schools for their children. In many rural communities "Prof." was a legend.

After retirement from the school system he became the executive secretary of the Georgia Teachers and Education Association and nursed this organization from infanthood to one of the strongest and most powerful educational, financial, and civic groups in the state. A genius at organizing, he always kept himself in the background and promoted the leadership of others.

Even while performing these strenuous services over the state, Prof. Harper found time to give great leadership to the Atlanta community as president of the Atlanta Branch of the National Association for the Advancement of Colored People. Under his leadership the NAACP opened an office and defended many cases of racial injustice.

Surely Atlanta's school system deserved to honor him; it should preserve the tradition and the devotion he insisted to the last.

In his lifetime, Professor Harper became a legend and his name was a household word in every home he touched.

The school has an illustrious name that will serve in a large measure as a powerful inspiration to those who pass through its doors.

The Atlanta Board of Education has thusly honored itself and the friends of education hail this as another victory on the school front. Too, the local chapter of Frontiers of America is to be commended for the fine spirit and the good thought of projecting this effort which gives another one of our schools the name of an illustrious Georgian.

# PTA Urged To Fight For Schools

The Atlanta Constitution
Atlanta Ga.

By BUDDY DAVIS
Constitution Staff Writer

ATHENS—Georgia PTA officials were urged Tuesday night to provide leadership necessary to preserve public schools in the segregation crisis.

Wed. 6-8-60

Minton V. Braddy, president of the Guy Webb PTA in Fulton County, charged, "Political leaders have heaped fuel on the fire and made us drift farther apart."

Braddy said most Georgians want separate schools but that they also overwhelmingly favor public schools.

**SECRET BALLOTS SOUGHT**

Calling on 300 local PTA leaders from throughout Georgia to present facts to their local groups, he sought secret ballots so the local press and office seekers would know Georgia sentiment.

Referring to primary elections in September, he said the secret ballot would inform the press and local office seekers of local sentiment for the preservation of public schools.

Braddy was one of three speakers on the segregation issue before the three-day 38th annual Summer Institute of Georgia PTAs. The other two speakers rejected private schools as a solution to Georgia's segregation crisis.

**CHERRY'S POSITION**

DeKalb County School Superintendent Jim Cherry said that all of Georgia's private schools today could handle only 30,000 students which, he said, would not be sufficient even for normal annual growth of enrollment.

Citing a period between 1840 and 1877 when Georgia had no public schools, he said private schools had failed to educate Georgia children.

Cherry cited figures to show that parents would have to pay [illegible] to $550 in tuition alone for each child each year if Georgia were to resort to private schools.

**RAPS PRIVATE SCHOOLS**

Newell Edenfield, past president of the Georgia Bar Assn., also said private schools were not the answer.

If Georgia compels attendance in private schools, he said, the courts would rule the schools were no longer private and would force the private schools to be integrated.

Edenfield also said that if Georgia abandons all schools, Congress doubtless would find education necessary for the national welfare and set up national schools.

# Negro School Fund Bias Is Charged

The Atlanta Constitution
Atlanta Ga.

By GENE BRITTON

The head of the statewide Negro teacher organization charged Monday that local school boards are discriminating against Negro schools in distribution of funds.

L. H. Pitts, executive secretary of the Georgia Teachers and Education Assn., told the State Board of Education that "continued delay (in eliminating racial discrimination in school administration) on the part of the political and educational leadership . . . will only serve to widen the gap of unequal opportunities and increase the tensions, which already have us sitting . . . on a powder keg."

He said most of the current racial troubles in Georgia do not stem from the U.S. Supreme Court's 1954 desegregation decision, but from its 1896 decision which upheld the doctrine of "separate but equal" facilities.

The Georgia Teachers and Education Assn. for Negro teachers corresponds to the Georgia Education Assn. for white teachers.

Pitts drew arguments from some members of the state board after he read his four-page prepared statement.

Board Members Lonnie Sweat of Blackshear told Pitts he had been dealing in generalities. "It would help if you could give us something more specific," he said.

In his statement, Pitts said there are counties in Georgia where "records will indicate that thousands of dollars which by every right ought to have gone for the maintenance and operation of Negro schools have never reached the individual schools or classrooms." He asked the board for new regulations for distribution of the funds.

"There is one county in Georgia with more than 3,000 Negro students and less than 2,500 white students where the State School Building Authority has spent more than half a million dollars in constructing five new buildings and there is not a janitor in the entire county working in Negro schools," he said. He added that he had asked one Negro principal how many janitors worked in his school and that the principal replied 23, indicating his 23 teachers.

Board member Paul Stone of Waynesboro said his son was going to school in a building more than 40 years old whereas Negro students in his county were attending a new school. Both were locally financed, he said.

"If there's discrimination anywhere it's against the whites," Stone added.

Pitts said that he thought the board "would be shocked if it saw a county-by-county comparison" of facilities over the state.

Pitts said there was a wide difference of maintenance and operations funds spent for Negro and white schools in Burke County.

On the topic of school bus transportation, Pitts told the board:

"The practice of buying new buses for white schools and giving the old buses to Negro schools is still a glaring blight on the educational highways of Georgia."

# The Charles Lincoln Harper High School

Atlanta Daily World, Atlanta, Ga.
Wed. 6/15/60

No finer selection could have been made than the naming of the new high school to be constructed on the Atlanta westside, for the late and lamented Professor Charles L. Harper who was the principal of Atlanta's first high school for Negroes from 1924 to 1942 when he was retired.

Educated at Morris Brown, where he taught mathematics for many years, and the University of Chicago and Northwestern University, he literally devoted a full life to the cause of higher education.

P. 6 14d(1) GA

He was among the early youth coming to Atlanta at the turn of the century to give his portion in the field of education. To this end did he devote his whole life, for after he left the schoolroom he labored in the great school of American citizenship.

Hardly any worthwhile project has emerged in this section but what his name is not written somewhere on its ledger.

While still a principal in the high school system of the city, Professor Harper nevertheless devoted much of his time and talent to the cause of racial awakening. On the voter front he was conspicuous and in the early struggle for equal salaries for teachers regardless of race, he stood boldly on that front until this became a reality.

It could be said without successful contradiction that Prof. Harper did more to foster public education for Negro children of Georgia than any other individual. His labor was a labor of love; he sought no laurels, asked no credit. Long after stronger men would have taken refuge in an easy chair of retirement, this builder of men was trudging through the backwoods of Georgia stimulating the local citizens in those counties to work toward new and better schools for their children. In many rural communities "Prof." was a legend.

After retirement from the school system he became the executive secretary of the Georgia Teachers and Education Association and nursed this organization from infanthood to one of the strongest and most powerful educational, financial, and civic groups in the state. A genius at organizing, he always kept himself in the background and promoted the leadership of others.

Even while performing these strenuous services over the state, Prof. Harper found time to give great leadership to the Atlanta community as president of the Atlanta Branch of the National Association for the Advancement of Colored People. Under his leadership the NAACP opened an office and defended many cases of racial injustice.

Surely Atlanta's school system deserved to honor him; it should preserve the tradition and the devotion he insisted to the last.

In his lifetime, Professor Harper became a legend and his name was a household word in every home he touched.

The school has an illustrious name that will serve in a large measure as a powerful inspiration to those who pass through its doors.

The Atlanta Board of Education has thusly honored itself and the friends of education hail this as another victory on the local chapter of Frontiers of America is to be commended for the fine spirit and the good thought of effecting this effort which gives another one of our schools the name of an illustrious Georgian.

GEORGIA EDITORS SPEAK:

# Schools Will Survive In Spite of Politics

TURNER ROCKWELL
*Valdosta Daily Times*

THE PUBLIC school problem in Georgia has a number of angles and more of our people are deeply concerned and disturbed over what is to happen to public education in the state.

One big question, of course is how to keep the schools operating on an efficient basis in the face of the conflict between state and federal laws on the question of segregation.

Then there is the question of how we can accommodate all of the children who will be clamoring for entrance in the years immediately ahead if the schools are kept open as public schools. If some sort of private school system is undertaken, the matter of providing facilities for the youngsters will be even more acute.

The first question raised here is, of course, a political one. It will probably be settled on the basis of expediency. It is not unreasonable to say that education in Georgia will survive. On what basis there can be no certainty at this time. . . .

*Savannah Morning News*

ATLANTA'S OUTSPOKEN Mayor William B. Hartsfield has spoken out on the naming of biracial committees in Savannah and Augusta. He said, in essence, that Savannah and Augusta don't know what they're doing.

"They are new to this problem," Mr. Hartsfield declared. "A biracial committee would do no good down here where we do not agree on the basic principles of the problem."

Then Mr. Hartsfield, who was explaining why he refuses to name a biracial committee in Atlanta, said groups like those appointed in Augusta and Savannah are "a face-saving gesture by people new to the subject."

Well, we in Savannah are new to the subject, all right. Relations between the races in Savannah have been generally amicable over the years. And we confess that we aren't certain a biracial committee will accomplish anything. By the same token we aren't certain it won't. . . .

We in Savannah are willing to give our committee a chance and to let Mr. Hartsfield do what he thinks best in Atlanta.

# GOP TAKES STAND FOR OPEN SCHOOLS

## Unit System Revision, 2 Parties, Honesty in Government Also Planks

By DOUGLAS KIKER

Georgia's Republican Party demanded Saturday that state officials take steps to assure uninterrupted public education in the state.

Delegates from Georgia's 10 Congressional Districts, attending the party's state convention in Atlanta, incorporated the public school stand in their state party platform.

In it, they said the school crisis "is unquestionably the most important issue that has ever faced the people of this state," and they called on citizens "to accommodate themselves to take the necessary steps to preserve our system of public schools."

They declared that the issue "should not be considered or decided on a politically partisan basis."

A floor battle on the controversial measure was anticipated but failed to come off. There was a little skirmish, however.

* * *

AFTER the entire party platform had been read and a motion had been made for adoption, a First District delegate took the floor and asked that the school statement be severed and considered separately.

Convention Chairman James Dorsey, using his gavel, said such a motion was not in order, and started to take a voice vote. A Ninth District delegate then requested that the last sentence in the statement be re-read. Mr. Dorsey allowed this and the man sat down.

A Sixth District Negro delegate then tried to gain the floor, but there was a call for a vote. One was taken and the entire platform—including the school stand—was passed to accompanying shouts of "Good, good."

* * *

THE CONVENTION also passed a resolution calling for revision of the county unit system. It was adopted despite a sizable opposition vote by First and Ninth District delegates.

The resolution sought action "to fairly reflect the rights of citizens in urban areas" in both General Assembly representation and state primary nominations.

Other local planks in the Republicans' first state platform:

Called for the establishment of a two-party system of government in Georgia.

* * *

CALLED FOR better schools and higher teacher pay.

Commended the Vandiver administration "for effective steps toward stamping out dishonesty in the state government."

Urged the governor to make suitable political appointments from the Republican Party "in order to insure participation of the minority party in state functions."

Called for stricter enforcement of state tax laws.

* * *

IN A MOVE for prestige and Democratic votes, the convention elected famed Atlanta golfer Bobby Jones as the party's honorary chairman by a standing ovation. William B. Shartzer of Atlanta was re-elected chairman.

Delegates re-elected Robert Snodgrass of Atlanta as their national committeeman and Mrs. Mary Baker Rice of Vidalia as national committee woman.

Mrs. Rice defeated Mrs. Patsy Martin of Columbus 197-90 in her election. Mr. Snodgrass ran without opposition.

# SCHOOL INTEGRATION BY FORCE ASSAILED

ATLANTA (ENS)—A report of a Georgia Baptist Convention commission on the school segregation crisis states that Baptist "religious practice and sense of practical right" would be violated by forced school integration.

The report of the Social Service Commission, which will be submitted for adoption to the annual Georgia Baptist Convention in Savannah Nov. 15-17, also states that "to integrate public schools racially is to institute a social revolution."

Published in the current issue of the Georgia Baptist weekly, The Christian Index, the report calls on Georgia Baptists to "harmonize their religious convictions with Federal court rulings" or to "seek some alternative" that will conform to faith and to law.

The commission report in part states:

"By tradition, law and religious practice, Baptists of Georgia have lived in a segregated society for several generations. This practical solution to a complex social problem has helped an underprivileged race to come a long way in a short time. * * *

"Our present dilemma is one of conflicting demands. Federal law now stands in opposition to tradition, practice and religious conviction of Georgia Baptists. We have been and will continue to be law-abiding citizens.

"At the same time our religious practice and sense of practical right would be violated by any forced integration of the races in public schools. The public school under our concept of education is an institution of broad social reach. To integrate public schools racially is to institute a social revolution."

# Georgia Should Learn By Others' Experience

One of the ingredients of wisdom is the proper use of experience. Our law is based on it; and certainly our customs are.

Fortunately, one man can borrow the experience of another. So can one city, or one state, learn by carefully observing another's trials and errors.

This week Georgia learned from Louisiana that a state cannot take over a city school system and stop that system from obeying the law.

In the past six years, Georgia has seen that a state cannot use its militia to thwart the law. It has seen that closed public schools cannot be replaced by "private" ones. It has seen that inflammatory, irresponsible "debate" on the issue can lead to violence, mayhem, the destruction of public and private property, and the end of investments in the future.

It has also seen that calm, temperate compliance with the law does not alter in any way social or educational patterns. It has seen that decent, real Southerners can find solutions to their problems without in any way disrupting traditional community life.

Atlanta and Georgia have been very lucky. Other cities and states faced these problems before we will have to. The events in Louisiana are the latest that point out that the choice we have is between progress and decency or spite and futility.

Grants and Private Schools

# CURE-ALL THAT DOESN'T CURE

By BRUCE GALPHIN

The old private school bottle was pulled out of the medicine bag in Americus last week and passed off as the wonder drug to preserve segregated education in Georgia.

State tuition grants to students were treated as a marvelous new discovery which the newspapers had deliberately been hiding from the public.

But the fact is, the tuition grant plan has been publicized and analyzed for six years now and found to be weak medicine indeed.

* * *

**ITS CHIEF WEAKNESS** is that it is only half the dose—or less—needed to run an adequate private school program.

Private schools, to match the quality of education now offered by Georgia's public schools, would cost at least $400 or $500 a year per child. (Based on costs in other Southeastern private schools.)

And how much could be provided from existing state and local school funds? An average of about $208 per pupil, according to State Department of Education figures.

What makes a private school system—or, more accurately, hundreds of private school systems—so much more expensive than public schools? Here are some answers:

1. Buildings. Despite some arguments to the contrary, the legal concensus is that School Building Authority buildings could not be used for private schools. Very likely, other existing school buildings also would be unavailable, unless they were bought at full value.

* * *

**IF THE PRIVATE** school foundations issued bonds, the interest rates would be enormously higher than those paid by the building authority. (Annual payments on the building authority would have to be continued.)

## How Taxes Would Rise Under Tuition Grants

What would happen to school tax rates if counties decided tuition grants were inadequate and tried to raise $100 more per pupil per year?

Here are figures for four counties in the Third Congressional District, site of Thursday's Sibley School Committee hearing:

| County | Grant Each Child Would Receive From Existing Funds | Taxable Digest | Increase in Tax (per $1,000 Valuation) |
|---|---|---|---|
| Ben Hill | $217 | $3,457,137 | $35.20 |
| Harris | $169 | $2,444,275 | $127.80 |
| Taylor | $194 | $1,930,625 | $119.70 |
| Clay | $195 | $1,075,419 | $116.80 |

Other available buildings, such as churches, are not as readily available as has been promised in political speeches.

DeKalb County, forced to use some church school space, found maintenance twice as costly and insurance four times as much.

State supervision, which has kept new building costs to a comparatively low $7.50 per square foot, would not be available to private schools.

**BOOK VALUE** of Georgia schools now is $500 million, and replacement probably would run $750 million.

2. Purchasing. By buying on a large scale, the state can obtain low prices. The state, for instance, provides a pupil 12 grades of books for $40, against a $200 cost if the books were purchased individually.

3. Federal aid. The state presently receives about $18 million a year in federal funds, which probably would be lost under private operation.

4. State services. Local systems presently receive a variety of services from the State Department of Education and other state agencies, including building inspection, legal advice, library planning and general curriculum and administrative assistance.

* * *

**THESE SERVICES** would be unavailable to private schools.

5. Special services. Private schools generally accept only more capable students, planning to go on to college. Therefore they need have only one curriculum.

But public schools have a variety of programs, such as commercial education. They also have specialists for mentally retarded and physically handicapped children.

These varied courses and special services would run new private schools costs above those of existing private schools.

But even more important than these financial matters is the question of the quality of education and the accreditation of private schools.

* * *

**TEACHERS ALREADY** are in short supply. It is highly likely that teachers, already threatening to leave the profession or the state because of low salaries, would pack up and leave for Florida, North Carolina or other states with public schools.

And what of accreditation? Without it, pupils would have a hard time enrolling in colleges—or in some cases, even getting jobs.

It usually takes a year for a school to receive accreditation. What happens to students who are graduated in the interim?

These are some of the things accrediting associations check when examining schools: sufficient numbers of qualified teachers, adequate buildings, good laboratories, libraries. Can they be supplied on $208 per child per year or even $500?

* * *

**HERE ARE SOME** other questions about private schools:

Will it be as easy for Negroes to organize private schools as whites?

How much industry will leave the state, or refuse to come in, if there are no public schools?

What will happen to tax revenues if business leaves the state in substantial numbers?

How can the state keep tabs on one million tuition grant recipients to be sure the money is not stolen or misused?

Can children now attending parochial schools argue that they are entitled to tuition grants?

There are more questions than certainty in the private school idea.

## Georgian Hits Aid For Private Schools

Sandy Springs — The following letter was sent to the Hon. James C. Davis:

I believe in church-state separation. I am against using tax monies to support parochial schools and federal funds for church-operated hospitals. I strongly object to the manner with which some politicians tolerate violations of laws in the church-state area because they happen to be cloaked in religious garb. This undermines the principle upon which our religious liberty rests.

Public education will always be the backbone of our way of life, our system of government. It must not be hurt by private schools. There is no reason why parents who willingly make the choice of sending their children to private schools should not pay the bill.

NAME WITHHELD.

The Atlanta Constitution
Thurs. 9-8-60

# School Probers' Views Now Known

The Atlanta Constitution

Atlanta, Ga.

By MARGARET SHANNON

The state school study commission goes to Washington-area Monday with nothing any longer secret about what it's going to ask or tell the people of Georgia.

The 10th Congressional District hearing will be at 10 a.m. at the courthouse, the second of 10 public hearings the commission will conduct around the state to find out what Georgians want to do about the segregation crisis.

Efforts to get the commission to release its basic questions before the Americus hearing last week failed. Behind this idea of keeping the lid on was the thought that the commission did not want to stir debate or controversy prematurely.

* * *

**THE LID IS OFF** now, however, and it is a stern choice that the commission is putting up to the people.

The commission has accepted the premise that unless Georgia's school segregation laws are changed, litigation could and probably would bring about a statewide shutdown of public schools.

So what do people want to do?

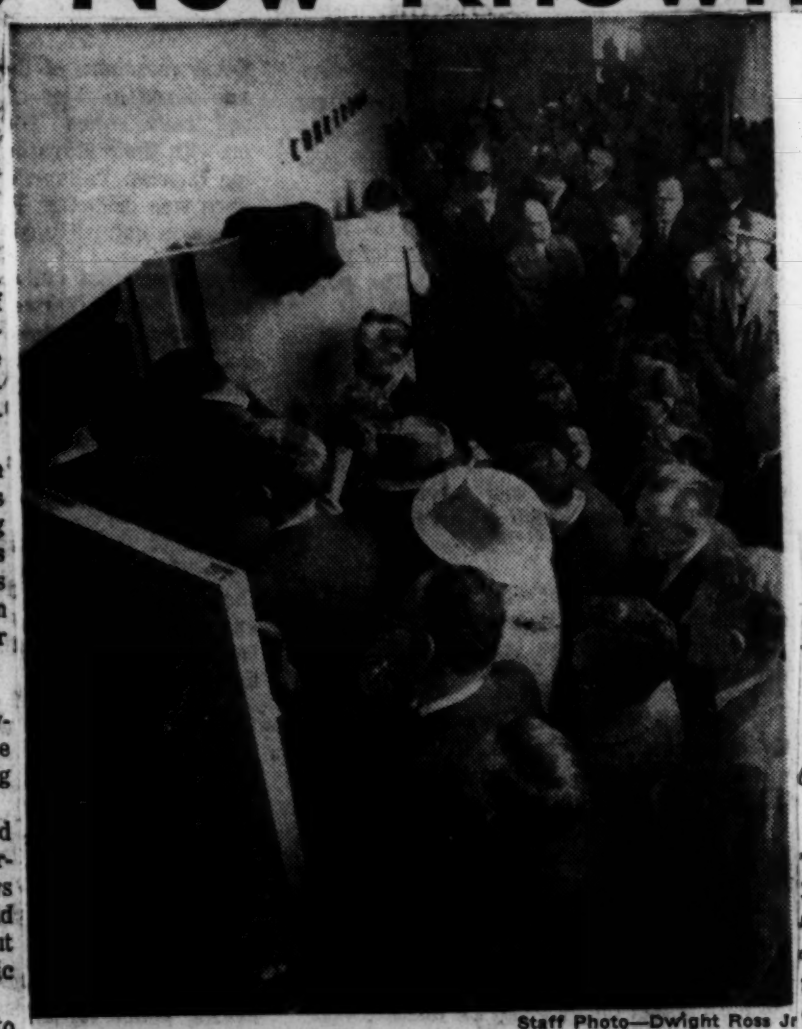
Do they want to resort to private schools. with the state providing grants-in-aid for education?

Or do they want a chance to vote on saving the public schools by turning to pupil placement and local option laws —which might result in some integration in some places?

* * *

**THE THIRD CONGRESSIONAL** District gave its answer at the Americus hearing: Close every public school in Georgia rather than integrate a single one; turn to private schools, with or without the grants-in-aid.

Commission Chairman John A. Sibley, Atlanta banker, mentioned the possibility that grants-in-aid might not stand up in the courts. He said the possibility ought to be considered.



Staff Photo—Dwight Ross Jr.

**OVERFLOW CROWD AT AMERICUS HEARING**
**They Even Stood in Halls as Study Group Met**

Some of the points which the study commission is presenting as cold, hard facts are precisely the sort of talk that in the past has come out of the mouths of save-the-schools advocates and has brought imprecations down upon them from the segregationist forces.

* * *

**THE COMMISSION,** according to the chairman, is advocating no particular course.

Mr. Sibley, however, has openly and strongly espoused the idea that segregation is best for both races.

At the Americus hearing, he used a different approach in questioning Negroes. He asked them, in effect: Segregation is best, isn't it?

The commission is making no issue of whether Georgians want segregation. It accepts as a fact that they do. It also accepts as a fact that they want public schools.

* * *

**BUT IT SAYS** they can't have both, so which do they want most?

One woman witness at Americus said she favored "public private schools."

Mr. Sibley chuckled and said, "There's no such thing as a public private school. If you get into that, you're in court."

Although the people who took the stand at the Americus hearing were referred to as witnesses and the courtroom setting lent an aura of trial or investigation to the proceedings, nobody was sworn to tell the truth.

With great good humor, Mr. Sibley steered witnesses away from rabid or raucous statements.

* * *

**"IF YOU'VE EVER** seen a colored funeral. . . ." one man started out.

"I don't think we'll go into that," Mr. Sibley said.

"But their mores and their habits—" the man persisted.

"We won't go into that," Mr. Sibley said.

That ended that.

An occasional comment from the chairman served to break the tedium and tension.

A mother who testified said she has five children and is expecting another.

"Well, that's a fine start," remarked Mr. Sibley, father of seven and grandfather of 12.

The chairman several times gaveled down bursts of applause and laughter. Segregation is a subject to stir the emotions, but the commission doesn't want to stir them.

# Closing or Integrating Schools

The Atlanta Constitution

# A Disaster, Says DeKalb Jury

Atlanta, Ga.

By JACK STRONG

The DeKalb County Grand Jury Tuesday asked for the continued "open and segregated" operation of the county's schools.

"To either close or integrate them would prove to be a major disaster to all the citizens of Georgia, both white and colored," the presentments returned by the March term Grand Jury stated.

The previous grand jury urged controlled integration under the parents' option plan.

The jury commended the operation of the schools, but recommended more rigid mechanical inspections of the buses and urged training and periodic tests for drivers.

The jury also asked that a conflict of interest "statement" be provided prohibiting business transactions between school officials, employes of the school system and board members who might derive financial gain because of their official positions.

This grand jury reversed previous grand juries in asking that prison labor be considered for the county once more. The jury pointed out that the county now has prison labor at the Stone Mountain Camp, the City of Atlanta Stockade, and the Federal Honor Farm. It recommended the question to the incoming (June term) grand jury for study.

The jury asked that "at least $6 million" in bonds be floated for the county's sewer department and that revenue certificates be considered for immediate expansion of "long-needed trunk sewers" in congested areas.

The jury recommended appointment of a nonpolitical board of directors to assist the sewer and water system departmental operations "because it is a $10 million a year business."

The major difficulty found in the tax commissioner's department (described overall as efficient) is the estimated loss of $38,904.62 in uncollected automobile ad valorem taxes "Not On Digest."

In the crowded jail "shameful conditions cry out for a remedy," the report read. The report told of inadequate space causing prisoners to sleep on the floor and told of the jury finding a deranged male adult in a cell adjoining that of a white juvenile female.

The Stone Mountain Memorial project was praised by the jury. The jury also recommended that "moderate funds be made available" to the DeKalb County Commissioners and the Chamber of Commerce for use in attracting more industries to the county.

# Segregate By Sexes, Jury Urges

Atlanta Constitution
Atlanta, Ga.
Fri. 7-1-60

By MARION GAINES

The revival of separate high schools for boys and girls—a practice which the Atlanta school system abandoned 13 years ago—was advocated by the Fulton County Grand Jury Thursday in the event "the schools are integrated."

Immediate reaction by city school board members was to point out that provisions for school segregation-by-sex were included in Atlanta's court-ordered desegregation plan which already has been submitted to—and approved by—a federal judge here.

**KEEP SCHOOLS OPEN**

The outgoing May-June grand jury also urged in term-end presentments that city and county schools here "be kept open."

Delving extensively into the race-relations problem, the grand jury condemned such Negro activities "as mass picketing and the so-called nonviolent marches."

But the jury also called for action toward improving race relations by upgrading Negro housing, recreation and hospitals as well as by increasing "the ratio of Negro to white" policemen.

**BI-RACIAL COMMITTEE**

The setting up of an Atlanta-wide Bi-Racial Committee, the jury said, "might have to originate with the Chamber of Commerce or a similar group rather than through the instigation of elected officials."

Mayor Hartsfield, in rejecting the March-April grand jury's request that he appoint a bi-racial panel, had declared that such a committee "is not going to solve race problems here."

An Atlanta Chamber of Commerce spokesman said Thursday "the chamber respectfully declined a similar suggestion from another grand jury" about a year-and-a-half ago.

"That position still stands as far as I know," the official said, "although it's always possible it could be reconsidered."

In advocating that desegregation be met with separate high schools for boys and girls "if economically possible," the outgoing jury declared:

"We feel that this could be done since it was the former method of operating in the city schools."

The city school system, which is under federal court orders to desegregate in 1961, operated Boys High and Tech High for boys and Girls High for girls until 1947 when the present coeducational policy was begun.

Oby T. Brewer Jr., vice president of the city school board, said it's "definitely wise planning to consider separate physical facilities for boys and girls."

He warned, however, that there would be "expensive and difficult problems" to overcome in setting up separate schools.

Dr. Rufus Clement, Atlanta University president and the only Negro on the school board, said he's already "on record as not at all being opposed to separate high schools for boys and girls if it will ease the situation and permit us to keep our schools."

Dr. John W. Letson, who takes over Friday as superintendent of Atlanta schools, was out of the city Thursday. But Dr. Rual Stephens, deputy superintendent, declared that "if it should become the will of the board and the people, then it would become our business to implement their will."

Racial relations can be improved, the jury said, by taking steps toward (1) eliminating "slums and substandard housing which ferment delinquency and unrest"; (2) making such facilities as "public parks, swimming pools and athletic fields more nearly equal in proportion to population," and (3) relieving—"when financially possible"—the "extremely overcrowded hospital facilities allocated to Negroes."

On other topics, the grand jury advocated separating sex offenders from other prisoners; enlarging state training schools for delinquents; clamping down on probation policies to reduce crimes by repeaters, and publishing the names of minors who are first-offenders.

# Atlantans Urge Separate Schools For Boys, Girls

The Montgomery Advertiser
Montgomery, Ala.
Thurs. 7-1-60

ATLANTA (AP) — A county grand jury recommended separate high schools should be used for boys and girls if Atlanta's public schools are integrated.

In presentments, the Fulton County Grand Jury also condemned sitdown and other racial demonstrations, and urged that public schools be kept open in the city and in Atlanta.

A federal judge has ordered Alanta to begin integrating its school system by September, 1961.

The jury said protests "such as mass picketing and the so-called non-violent marches (present) potentially grave danger."

It said "no physical activity, even passively inclined, can supplant legal recourse, which is the Negro's guaranteed right." It warned that "one untoward incident could easily degenerate an orderly group into a mob, with all the ensuing violence."

# East Point Completing Plans For Additional Negro School

Atlanta Constitution
Atlanta, Ga.
7-8-60

Plans are being completed for the new East Point Elementary School for Negroes.

Asst. Supt. Norman Aaron said bids on the school, which is being located in an urban renewal area, will be received by the County Board of Education in August.

The school is the last project in the board's 1959 bond building program. It will relieve overcrowded conditions at the present Negro elementary school on S. Bayard street, Aaron said.

Aaron said the board hopes to get construction of the school under way in September so the building will be ready for occupancy in September 1961.

# South Awaits Decision On Georgia Pupil Plan

Evening Star Washington, D. C. July 10, 1960
P. A-16

By The Associated Press

The eyes of the South will be trained on Georgia next January when the Legislature has to decide whether to alter its segregation laws or face closure of the public schools.

Federal Judge Frank Hooper has given the Legislature "one last chance" to approve a pupil placement plan submitted by the Atlanta Board of Education. He has ordered the plan to be put into effect for the 1961 school year applying to he 11th and 12th grades.

Georgia law provides that State funds will be cut off to any school district which mixes white and Negro children in classrooms. Another act empowers the Governor to close only the integrated school and the school from which the integrating students come.

**States' Laws Vary Widely**

School closing laws vary widely among Southern States.

Here is a summary of such laws:

North Carolina—Local school boards, county or city, assign students. If integration occurs, parents have three choices—accept it, request State funds to send their children to private schools, hold an election within the school district on whether

Louisiana—The Governor is authorized to order closed any individual school forced by Federal court orders to integrate, once the court sets a specific date. The Governor also is empowered to reopen that school within a reasonable time, under police powers of the State, as a segregated school.

Virginia—There are no State laws requiring closure of schools in event of integration. The State Constitution does not require a locality to operate public schools. This is how Prince Edward County was allowed to close its public schools entirely, simply by declining to appropriate local funds for schools. No election was required.

Mississippi — The constitution authorizes the legislature to close any or all schools for any reason. State law authorizes the Governor and school boards to close any schools.

Alabama — Local school boards are authorized to close schools if violence or disorder threatens. No election is required, but the board must have a public hearing. Another law allows schools threatened with integration to withdraw from the city or county school board and form an independent district. This must have the approval of voters in a special referendum. No law specifically empowers the Governor to close schools, but Gov. John Patterson has said repeatedly he will do it if necessary to prevent integration. He has never said how.

**Other Courses Noted**

Florida — The only school-closing statute would shut down automatically any school if Federal troops were sent there. The Governor also has extraordinary police power to close any public facility in case of violence. However, this police power is of long standing and not designed specifically as a segregation measure.

# U.S. Court Voids Grade-Year Plan

## Delaware Stairstep Program Ruled Unconstitutional—Problems Ahead Throughout South

By United Press International

ATLANTA, July 19.—The so-called stairstep plan for desegregating public schools was thrown out by a Federal appeals court Tuesday, posing fresh problems for Southern states attempting to ease their way into the era of racially-mixed classes.

Negro plaintffs have argued in numerous cases that desegregating classes a grade at a time over a 12-year period is too slow. But this was the first instance in which the courts have ruled against the program.

The decision was handed down in the Third Circuit Court of Appeals in Philadelphia. The court, in a two-to-one decision, ordered the Delaware Public School System, which began its stairstep plan at the 12th grade in 1959, to proceed with "full integration" of all grades in the fall of 1961.

Twenty Negroes are now attending Delaware schools under the plan.

**Effect Not Clear**

It was not clear whether the decision might affect gradual plans already in effect in Dixie, but it was certain to be used by litigants in future cases as strong argument against further approval of such programs.

Delaware officials made no announcement as to whether the decision would be appealed to the Supreme Court which is now in summer recess. A high court decision, however, could be handed down well before the deadline imposed by the Third Circuit Court.

The first of the court-approved stairstep plans was in Nashville, where school officials came up with the idea following an order to desegregate public schools. It went into effect in 1957 in the first grade and has been highly successful. It moves into the fourth grade this fall.

**Reverse In Little Rock**

A court-approved Atlanta plan, which goes into effect in 1961, uses the same plan but in reverse, starting at the 12th grade.

Little Rock schools are being desegregated by levels, starting in the high schools and working down through junior high and elementary schools.

In New Orleans, the first grade is due to be desegregated this fall under a plan suggested by Federal Judge T. Skelly Wright. Supreme Court Justice Hugo Black Tuesday rejected an appeal from the New Orleans School Board to postpone the deadline pending an appeal to the Fifth Circuit Courts of Appeals.

In approving the gradual transistion toward mixed classes, Federal district judges in the South have called attention to the social problem involved.

**Atlanta Plan OK'd**

In approving the Atlanta plan, District Judge Frank Hooper spoke of the "intolerable burden" that would be imposed on the city school board should it have to asign the city's 46,400 Negro children at one time for all grades.

Judge Hooper contended that nothing in the Supreme Court's 1954 school decision ruled out a gradual plan of desegregation and, in fact, tended to encourage that procedure.

Both the Fourth Circuit Court of Appeals in Richmond and the Fifth Circuit in New Orleans also have stressed in various rulings that the high court actually never ordered integration.

The equal protection and due process clauses of the 14th Amendment do not, said the Fifth Circuit, "affirmatively command integration but they do forbid any state action requiring segregation on account of race or color."

**Dissenting Opinion**

In a case involving Arlington County, Va., the Fourth Circuit said that "no general reshuffling of the pupils in any school system has been commanded. The order . . . is simply that no child shall be denied admission to a school on the basis of race or color."

Judge Hooper told Negro litigants here that their argument the Atlanta plan avoided the duty to desegregation was an objection heretofore frequently considered by the courts and uniformly rejected."

The majority opinion in the Delaware case insisted that the grade-by-grade desegregation "does not follow the intent and substance" of the Supreme Court school rulings.

In a dissenting opinion, however, Circuit Judge Herbert F. Goodrich of Philadelphia wrote that the 12-year plan "is as good as we can expect in view of the obstacles to be overcome in making it work."

Judge Goodrich wrote that the main purpose was to "proceed with desegregation with all deliberate speed."

# Candidates Here Speak For Schools, Equality

By PAUL DELANEY

Ex-Legislator Jesse L. Walton came out for open schools and repeal of the state laws that would cause all schools in Georgia to close in case of desegregation, Monday night at a mass meeting that saw political candidates or their representatives solicit votes.

The meeting was held at Anderson Park Recreation Center and was sponsored by the Community Civic Club, Inc.

Others appearing before the listeners, who braved rain to attend, were Lewis R. Slaton, representing Sheriff T. Ralph Grimes; Judge Paul S. Ethridge; Tom Luck, representing Paul Webb, solicitor general; Philip Slotin, representing Archie Lindsey, who is seeking Grimes' sheriff post .and Franklin P. Rogers, running for the seat on the Georgia Public Service Commission now held by Ben T. Wiggins.

"The Supreme Court has already settled the school matter," Walton stated. "I am for repeal of school-closing laws that would deprive our children of an education."

**"BEST QUALIFIED"**

Judge Ethridge referred to his post as an umpire's job - "to see and call the issues right." He quoted a poll of the Atlanta Bar Assn., in which a majority of its members said he was best qualified for the job. He also read an editorial from a community newspaper that called for his re-election.

Luck also referred to the ABA poll in supporting the re-election of Webb. He said that Webb stands for "equal rights, equal justice for all, regardless of race, color or creed."

Slaton said that Grimes runs an efficient office that has been commended repeatedly. He said that the sheriff's opponent does not have "a day's experience in law enforcement."

Lindsey did a big deed for "the colored people of Atlanta" during the trial of Melvin Smith for rape, Slotin told the group. Slotin was one of the defense lawyers. He said that Lindsey, an identifications expert, offered to testify that it was impossible for the two women victims in the case to identify Smith as the attacker.

**"TRUE FRIEND"**

"He did it because he's a true friend of the colored people," Slotin stated, "and not for political gain." Slotin pointed out, however, that Lindsey's testimony was not allowed. He also said that Lindsey introduced the anti-mask ordinance against the Ku Klux Klan as a councilman in Atlanta.

Rogers took deep digs at incumbent Wiggins and hit the continuing rise in public utilities rates. He pledged that he would make it hot for other members as he would agitate for reductions. Rogers presented newspaper clippings reporting different utilities hikes.

"And down in Florida," Rogers stated, "the public service commission is going to investigate the high rates; and mind you their rate are not as high as they are in Georgia."

He said that Wiggins appears to have "charity for none and malice toward all."

Incumbent State Rep. M. M. Smith was not present but sent letter of apology. Buddy Griffin appeared but left before the session began.

State Board Tells Pitts

# Teachers To Get Paid If Ga. Schools Close

Atlanta Daily World
Atlanta Ga.
1-4-60

By PAUL DELANEY

The State Board of Education informally concluded Monday that all teachers would be paid for the year, if the schools are closed, whether they have signed a contract or not. The matter was precipitatated by the appearance of L. H. Pitts, executive secretary of the Georgia Teachers and Education Association (GTEA), when he questioned the practice of some superintendents of not having teachers under contract.

Thurs. 9-20-60

Pitts discussion also included tenure, school construction, maintenance and operation and vocational education. The only name he called in his prepared statement was Bleckley County, which he said presents a "flagrant example" of the dilemma of Negro education in some communities.

Before he spoke, he was notified by James Peters, chairman of the Board, that he need not mention Bleckley County since improvements were already under way. However, Pitts charged that the county is holding up on school projects, in case of desegregation by the courts, and has accumulated $260,000.

A discussion ensued when Pitts pointed out that some Negro teachers work without contracts and asked what would happen to them in case of desegregation and school closing, as would now happen if a school is desegregated.

A member of the Board stated that superintendents send in signed statements of the teachers under contract. Another said that contracts signed for less than a year are invalid in Georgia anyway. It was finally concluded that if a teacher starts out the year in a system and the schools close the teacher would be paid whether or not there is a signed contract.

Pitts also hit "subtle methods of intimidation." He said that the reason Negro teachers and principals never complain to the Board was fear of economic reprisals, "which have been visited upon some of the teachers in the state apparently because they were married in a certain family, they belonged to a certain organization, they attempted to exercise the use of the ballot, or they dared to encourage citizens discussion of school matters."

Accompanying Pitts to the meeting were Mrs. B. E. Mays, of GTEA, and Jesse O. Thomas, president of the Georgia Conference on Educational Opportunities. Thomas told the Board that Negroes are becoming impatient for necessary facilities and may use other means of getting them if conference does not bring more progress. He specifically mentioned trade schooling for Negroes.

The Board noted that construction is now going on on a school for Negroes in Albany and that whites also complain of the slowness of progress.

Of the Bleckley situation, Pitts stated, "It is my studied opinion that unless this situation is alleviated with more than 'deliberate speed,' all of us will suffer the embarassment, and the already 'full sea' of tension will be dramatically disturbed."

He urged the Board to do something as soon as possible:

"We feel that all of the administrative remedies have now been exhausted except those which you can set in motion. If you fail to act there is only one recourse left."

He reiterated his statement of June 13, when he appeared before the Board, that many Negro schools need janitorial service.

"Ladies and gentlemen, this cannot go unnoticed too much longer by the taxpayers who are concerned about the education of all people .. How long does this Board expect Negro citizens and fairminded white people to endure this flagrant misappropriation?"

Pitts urged the Board to consider setting up a committee from all walks "to sit down and look carefully" at all problems.

## Atlanta mother seeks to integrate

The Atlanta Constitution

ATLANTA, Ga. — The principal of all-white Whiteford Avenue Elementary School stated that a colored woman appeared at the school last week and asked that her son be admitted to the fourth grade there. The request was denied.

Atlanta elementary schools are not scheduled to begin integration in September, 1961. Under the Atlanta School Board's plan, as approved by U.S. District Judge Frank Hooper, desegregation will begin in the 11th and 12th grades only on that date.

In another Georgia school incident, arson is suspected in two fires which broke out last week at Waycross Center High School for Negroes, Waycross, Ga. The fire caused an estimated $2,500 damage. Fire Chief R. L. Carpenter said evidence found at the scene of the fire plus an anonymous telephone call to his office point to arson.

Americus Board In U.S. Court

Atlanta Daily World
Atlanta, Ga.

# Denial Said Based On 'Trouble' Fear

Thurs. 9-29-60

MACON (UPI) — The Americus School Board claimed in U.S. District Court Wednesday it denied high school admission to three children from the controversial Koinonia Farms because it feared their presence might cause trouble by other students.

A lawyer for the board also told Judge William A. Bootle the city school board has no legal obligation to admit any student who lives outside the city of Americus.

Three students from Koinonia Farms are suing through their parents for a preliminary injunction forbidding the school board from discriminating against them by barring their admission to Americus High School. The American Civil Liberties Union of New York is supporting their suit.

**FOUNDER OF KOINONIA**

Clarence Jordan, a founder of Koinonia and father of Jan Jordan, one of the students seeking admission to the Americus school, told the court it was his belief the children at Koinonia had a right as citizens of the United States to be treated like any other children in Sumter County, and that all the others had freedom of choice in the high school they wanted to attend.

Jordan said the Koinonia parents "could not conscientiously send our children to Plains, the county high school, in view of our religious belief and without compromising our rights as citizens of the United States."

The Koinonia group is a religious fellowship which believes in nonviolence and racial equality. The community has been involved in several incidents in recent years.

Jan Jordan, 13, took the witness stand herself to say she wanted to go to Americus High School rather than the smaller county high school at Plains, because, "I think that Americus prepares you for college better than Plains and because my closest friends are going to Americus."

**TWO OTHER PLAINTIFFS**

The Jordans and the other plaintiffs, William Wittkamper, 15, through his father W. W. Wittkamper Sr. and Lora Ruth Browne, 13, through her father Conrad Browne, contend that the school board denied the students admission to the Americus school while admitting all others who applied at the same time under similar circumstances, because of their social and religious beliefs.

Attorney Frank C. Jones, of Macon, said however that the religious and social beliefs of Koinonia residents "did not in and of themselves" have anything to do with the refusal to admit the students.

Board President James Harvey and City School Superintendent W. C. Mundy testified the refusal was based on a belief that presence of Koinonia students might result in trouble at the school because of local resentment against the farm. They said they felt their first duty was to the children within Americus and that they should act therefore to prevent such trouble.

# Prober Calls Sibley Plan Only Hope to Save Schools

MACON (AP)—The secretary of the State School Study Committee warned Monday that federal court decisions clearly indicate that Georgia will not be able to continue segregated public schools much longer by state law.

State Sen. John Greer, addressing the Macon Rotary club, described the majority report of the Sibley committee last May as "the best and only workable blueprint that has yet been offered to the people in an effort to keep our public education and our system of equal but segregated education from being completely destroyed."

The 11 committee members who signed the majority report recommended passage by the Legislature of a pupil placement law and submission to the people of a freedom of choice constitutional amendment. If integration suits were filed, the people of a political subdivision would be empowered to vote whether to close the schools or accept some race mixing.

"We have state and federal statutes in direct conflict with each other," said Greer, who described himself and all other members of the committee as segregationists.

"I must reluctantly say that in every state so far where they have collided on the school question, the state law has had to bend or the schools were forced to close."

Pointing to a federal court decree voicing segregation in Atlanta schools next year, Greer said:

"We must not fool ourselves. We are faced with a serious problem and we are right up to the lick-log. I believe that some serious decisions must be made in the not too distant future."

Greer told the club members that "we simply cannot secede again from the Union, no matter how attractive the idea sometimes seems to be."

"Up until now," he added, "Georgia has followed a course of mass resistance that has worked. I have no fault with that, and have voted for it in the Legislature, as long as there is any hope of its holding. We now face not only a federal court option but direct court decisions with a date on them.

"We hope no school closes anywhere, but if our majority report tells you the truth as we believe it did, there is a good chance we will face some school closings in the foreseeable future if both state and federal laws remain as they are."

Greer pointed out that Virginia, North Carolina and Arkansas had turned to pupil placement plans after meeting defeat in the courts in efforts to maintain complete segregation.

"We must maintain every bit of segregation that is possible in our state or we will face a catastrophe that would be nearly as unpalatable as closing the schools," he said. "I earnestly believe that utter chaos will follow any mass integration of the schools of this state.

"Therefore, it is my belief that when and if our massive resistance approach is overthrown, that we should turn to another battleground where we certainly can win over 90 per cent of the battles instead of losing them all."

## Teachers to be paid if Georgia closes schools

ATLANTA — The State Board of Education informally concluded last week that all Georgia school teachers will be paid for the year if the schools are closed, whether or not they have signed a contract.

The issue was raised when L. H. Pitts, executive secretary of the Georgia Teachers and Education Association questioned the failure of some school superintendents to offer teachers written contracts.

The matter was important, Mr. Pitts said, because of the possibility that schools might be closed because of desegregation.

A board member said that the superintendents send in signed statements on the number of teachers under contract and that teachers who start the year in a system would be paid for the year whether or not the schools are closed.

## 3 WHITES DENIED SCHOOL ADMISSION

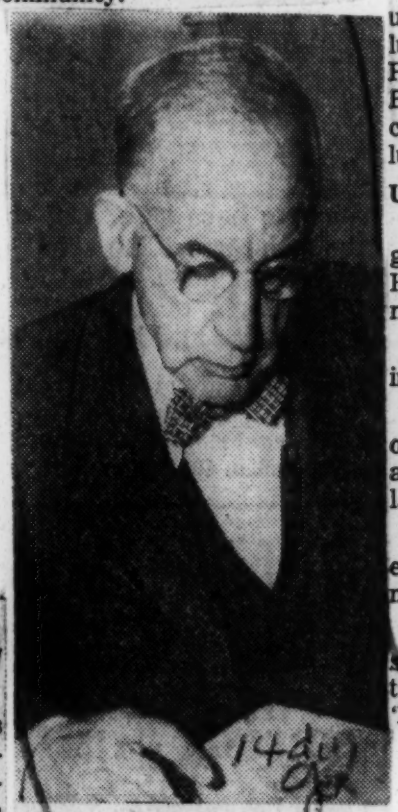
AMERICUS, Ga. (Religious News Service)—Legal proceedings have been started in Federal District Court in Macon charging the Americus School Board with refusal to admit three white students to the local high school because their families are members of the Koinonia Farm, an interracial Christian community near here.

The suit was filed by the American Civil Liberties Union in behalf of the youngsters. They are Jan Jordan, 13, years of age, daughter of the Rev. Clarence Jordan, a Southern Baptist minister and director of the community; Lora Ruth Browne, 13; and William Wittkamper, 15.

Koinonia, founded in 1942, in an effort to apply Christian principles to everyday living, has been under pressure in recent years, including shootings and economic reprisals, because of its integration stand.

The suit alleges that the three children were excluded from Americus High School while twenty-seven other white boys and girls were admitted. According to Mr. Jordan, the rejected students were told that the action was taken "because of where they were from."

In their suit the plaintiffs ask the court for a mandatory injunction ordering the school to admit the children. The complaint alleges that the Koinonia children have been denied their educational rights arbitrarily because they belong to a religious fellowship whose views are unacceptable to the local community.



SLATES SPEECHES

*James S. Peters*

## HOPE Pins Hope on '61 Assembly

By BRUCE GALPHIN

Tagging the 1961 General Assembly the "last chance Legislature," HOPE Monday launched a new campaign to swing public opinion behind the Sibley Committee recommendations.

The open-schools organization said its "Operation Last Chance" would be aimed at community meetings, individuals and "every legislator."

**SUPPORTING FORUMS**

Among its activities will be support of forums such as the "School Bell Tolls for You" series being launched Tuesday in Rome with an address by Rep. Erwin Mitchell.

The series, sponsored by the United Churchwomen Voters and Active Voters, will open at 10 a.m. in the First Christian Church.

Three more sessions are scheduled in the series, in Albany, Columbus and Augusta. James S. Peters, chairman of the State Board of Education, will be principal speaker in Albany and Columbus.

**USING NEWSLETTER**

In a newsletter being given general circulation in Georgia, HOPE said it hoped to encourage more such meetings.

"Operation Last Chance" also includes:

1. Sending teams of volunteers over the state "to bring the facts about open schools to every village and town."

2. Keeping 50,000 "opinion-makers" informer regularly through newsletters.

3. Visiting every legislator and supplying him with source material "prior to and during the 'Last Chance" legislature."

# School Stand Cost His Job With State, Candidate Says

The Atlanta Constitution
Atlanta Ga
Tues 6-7-60
p. 1 & 14

A Cobb County political candidate charged Monday he was forced to resign from a state job because he urged in a political address that the people of Georgia be permitted to vote on whether to close the public schools.

L. A. (Buck) Schnall Jr. of Smyrna said State Sen. Wallace L. Jernigan of Homerville and Rep. J. Battle Hall of Rome forced his resignation as committee assistant to the State Senate Educational Study Committee, the State House of Representatives Education Study Committee and the University System of Georgia Study Committee.

"My platform is to let the people of Georgia vote to decide whether or not to close the schools," Schnall said Monday.

"I think that the people of Georgia have the democratic right to decide on their schools, not a few politicians deciding for them. In view of my stand on the school situation, I honestly believe that this is the reason for their change, forcing me to resign."

"I'm sorry that he's taken that attitude," said Sen. Jernigan, contacted at Homerville. He said Schnall's stand on the school had no bearing on his discharge.

"It (Schnall's job on the committees) was a temporary position," Jernigan said. "I and others on the committee wondered how he could campaign for office and do the job. His being in politics and campaigning raised the question among myself, Mr. Hall and Mr. Matthews (Rep. Chappelle Matthews of Athens, chairman of the university system committee) of whether it would be proper for him to continue to be an employe."

However, Schnall said he had checked with Jernigan, Hall and Matthews before entering the race for the Cobb representative post.

"They stated that it was perfectly all right for me to enter this House race," Schnall said. "Now, two weeks later, Sen. Jernigan and Rep. Hall have decided that I must resign from their committees."

Schnall pointed out that Jernigan and Hall, as members of the Sibley School Commission on which he had served as committee assistant, had voted with the minority to favor closing public schools rather than integrate them.

Schnall said he thought Jernigan and Hall forced him to resign because his position on the school issue "was not in line with Sen. Jernigan's and Rep. Hall's line of thought or their personal futures."

# Conscience Is Called Key in Race Crisis

The Atlanta Constitution
Atlanta Ga.
Wed 6-8-60
p. 21

## Solution Hangs on Spreading Truth, Judge Tells Lions

There is no hope for the South to escape the forced integration of public schools "except the conscience of America," the chief judge of the Georgia Court of Appeals told delegates to the Georgia Lions convention here Tuesday.

"If that conscience could be shown the naked truth, with all political and short-circuiting considerations removed, a way could be found to peacefully and in good will solve the racial problems confronting us," said Judge Jule W. Felton.

"The only check on the (U.S.) Supreme Court's usurpation of power is the force of public opinion," he added. "The integrity, character and conscience of the American people are on trial."

### HITS TROOP USE

Judge Felton said "gangster tactics through the use of troops" should not be resorted to in order to force states to comply with the "lawless" decision of the U.S. Supreme Court that admittance to any public schools could not be denied because of race.

Earlier Tuesday, State Treasurer George Hamilton told the convention that Georgia, "which didn't owe a dime in 1947," is now 'mortgaged' to the extent of $350,000,000.

Hamilton said the trend away from the "pay as you go" system started during the Herman Talmadge administration under the mistaken notion that racial integration could be avoided by spending more money on Negro schools to put them on an equal basis with white schools.

# Private School Plan Sought by Sumter

The Atlanta Constitution
Atlanta Ga
Mon 6-6-60
p. 3
14 d (1)

## Both Regular, Non-Profit Charters Asked 'Just in Case'

Constitution State News Service

AMERICUS—Sumter County has joined the list of at least five other Georgia counties which have applied for charters for private schools to take over the public education job if state schools are closed in the segregation fight.

Stephen Pace Jr., attorney for a group of Sumter County citizens in the Leslie-DeSoto area, took the precaution of filing for two charters—one setting up a non-profit corporation and the other establishing a regular private corporation for profit.

Other counties which have taken public action toward setting up private schools are Tift, Lee, Burke, Elbert and Laurens.

### CHARTER SIGNERS

Both charters filed in Sumter Superior Court were signed by William J. Athon, A. B. Carlan, Wallace H. Laramore, R. Spencer Pryor and Louis E. Smith.

Attorney Pace, son of former congressman Stephen Pace Sr., said the applications are "strictly a safeguard. We don't want to see the public schools closed, but if they are, we want to be ready."

Pace is a member of the Georgia Southwestern College faculty.

He said Sunday the reason for applying for two charters was a provision in Georgia law that "non-profit corporations are open to the general public, or something like that. We might get into just the same fix with that kind of provision as we are now.

### IF NEEDED

"We set up the profit-making corporation to get around that provision if we have to," the attorney continued.

Attorney Pace said the signers of the charter had no intention of starting any school unless they had to keep education going in Sumter County. They have no intention of operating a private school or schools as long as the public schools remain open, Pace said.

Attorney Pace, when he filed the two applications, made the following statement: "All of the petitioners sincerely hope and pray that there will never be a need for abandoning our public school system.

"However, they would prefer setting up private schools to be operated mainly on funds received in the form of grants-in-aid from the state government rather than to accept any form of integration which the petitioners feel could not help but lower the moral, health and educational standards of all the children affected thereby.

### NO DELAY

"The uncertainty of the future and of court interpretations of present laws brought about the decision to set up two corporations so that if and when the time comes for putting private schools into operation, there would be no unnecessary delay in beginning the operation of the school or schools which would best serve the children in this area."

The growth of the private school corporations which have been set up across the state seems to be a direct outgrowth of the Sibley School Study Commission hearings.

Rep. Henry Bostick of Tift County said he believes the fear of public school closings was what made so many vote for local op-

To decide in January—

# Georgia Legislature faces "last chance" school choice

The Birmingham News, Birmingham, Ala.

BY THE ASSOCIATED PRESS

The eyes of the South will be trained on Georgia next January when the Legislature has to decide whether to alter its segregation laws or face closure of the public schools.

Federal Judge Frank Hooper has given the Legislature "one last chance" to approve a pupil placement plan submitted by the Atlanta Board of Education. Hooper has ordered the plan be put into effect for the 1961 school year applying to the 11th and 12th grades.

**Georgia law provides that state funds will be cut off to any school district which mixes white and Negro children in classrooms. Another act empowers the governor to close only the integrated school and the school from which the integrating students come.**

School closing laws vary widely among Southern states.

HERE IS A SUMMARY of such laws:

North Carolina — Local school boards, county or city, assign students. If integration occurs, parents have three choices: 1, accept it; 2, Request state funds to send their children to private schools; 3, Hold an election within the school district on whether to operate the school on an integrated basis, or close it.

**South Carolina — State funds will be cut off to any school ordered to integrate and to the school from which the integrating student comes. No elections are required and the closing would not affect any other schools. There is a long process of appeal required of any pupil seeking transfer before he can seek remedy in federal courts.**

Florida—The only school-closing statute would shut down automatically any school if federal troops were sent there. The governor also has extraordinary police power to close any public facility in case of violence. However, this police power is of long standing and not designed specifically as a segregation measure.

LOUISIANA—The governor is authorized to order closed any individual school forced by federal court orders to integrate, once the court sets a specific date. The governor also is empowered to reopen that school within a reasonable time, under police powers of the state, as a segregated school.

**Virginia—There are no state laws requiring closure of schools in event of integration. The state constitution does not require a locality to operate public schools entirely, simply by declining to appropriate local funds for schools. No election was required.**

Mississippi—The constitution authorizes the Legislature to close any or all schools for any reason. State law authorizes the governor and school boards to close any schools.

ALABAMA—Local school boards are authorized to close schools if violence or disorder threatens. No election is required, but the board must have a public hearing.

**Another law allows parents of schools threatened with integration to withdraw from the city or county school board and form an independent district. This must have the approval of voters in a special referendum.**

No law specifically empowers the governor to close schools, but Gov. John Patterson has said repeatedly he will do it if necessary to prevent integration. He has never said how.

# Full Integration or Segregation The Only Choices, Gray Warns

The Atlanta Constitution

Atlanta Ga.

There is no "local option" middle ground in the segregation-integration controversy, State Democratic Party Chairman James Gray said here Monday.

In an address urging resistance to "big government," the Albany newspaper publisher told the Georgia Lions Club Convention at its luncheon meeting that the price for "not integrating our schools—and we may as well face this, too—is the not educating of our children."

He said there is no such thing as local option because federal courts will not permit such a deviation from their decrees.

"Either there is integration or there is segregation," he said. "There is no legal or moral middle ground of local option."

He added that Southern states "have no choice but to fight to preserve a social order that may not be perfect but that allows harmonious relations between the races."

If integration comes, he contended, "whites wherever possible are going to leave the schools and Negroes are going to attend them because they will have nowhere else to go." The situation will be one of integration enforced by economics, he said.

He cited the nation's capital as an example.

Washington has been so successfully integrated that it is now almost segregated—all Negro, he said.

In an address Monday night at the convention's District Governors Banquet, Harold P. Nutter, past president of Lions International, outlined the progress and expansion of the organization throughout the world and its plan and record of aid to needy countries, largely on cooperation with the CARE program.

"Always remember when you see that Lions Club button that it is facing all parts of the world for opportunities for service," he said.

Chris Harvey, Decatur lawyer, received the Lions Club award to the outstanding blind person in Georgia. A number of the Avondale Estates Lions Club, Harvey was blinded by shrapnel in a torpedo attack at Salerno Beach, Italy during World War II. He later returned to Decatur, studied law, and graduated among the top five in his class.

Named Outstanding Committee Chairman for Sight Conservation in Georgia, Harvey is a member of the Stone Mountain, Decatur, and Georgia State Bar Associations.

The convention will continue through Tuesday at the Dinkler-Plaza Hotel.

## Pulse of the Public

# Immediate Decision On Schools Is Urged If State Is To Retain Its Qualified Teachers

Lithonia — I am a teacher. I am preparing to adjust to closed schools, if necessary. With some intensive study of elementary methods (I teach in high school) I believe I can teach my two children at home.

Many do not feel that the schools will close. This will mean that children will come to school expecting to find a teacher, a well-qualified teacher. However, the uncertainty of the situation in Georgia schools caused some teachers to leave the state last year. More will leave this year.

If the schools are to open in September, it is imperative that this decision be reached immediately so that teachers can be relieved of the burden of uncertainty and classrooms can be staffed with qualified personnel.

Another item that might be of interest is the following quote from the loyalty oath teachers are signing. They will "uphold, support and defend the Constitution and laws of this State and of the United States. . . ."

Are there any more "spots" you want to put us on?

MARY C. KELLEY.

* * *

## John Sibley Hailed For School Study

Atlanta — As the mother of three children, the wife of a doctor and a citizen of the State of Georgia, I want to thank John Sibley and his commission for the excellent job they have done in these hearings.

I want to say that I feel that history will record the fact that the South was blessed with a man of the caliber of John Sibley at a time when the South needed him.

Thank you, Mr. Sibley.

NORMA S. HODGES.

* * *

*The Constitution welcomes expressions of opinion from readers for publication in this column. All letters are subject to editing to conform to length, libel laws, grammar and good taste. Since space is limited, letters must be kept short—200 words or less.*

# PTA Group Rejects Local Option Stand

Representatives of the Eighth District Parent-Teacher Assn., the state's largest PTA district with 74,000 members, rejected overwhelmingly Wednesday a motion to endorse local option in the school segregation fight.

The motion was defeated after Henry Castleman, legislative representative of the Fulton PTA Council, declared that the Georgia PTA Congress already had gone on record — during its 1959 state convention—as endorsing local option.

The author of the motion—Mrs. F. C. Bowen Jr., co-president of Fulton County's Hammond School PTA—said later that she felt the Eighth District should have reaffirmed its stand in view of the current interest generated by the Sibley committee hearings.

Mrs. Bowen put forward her motion at the district's spring conference at the Hapeville Recreation Center. The Eighth District embraces 192 PTAs in Atlanta and 10 counties: Fulton, Coweta, Douglas, Harlson, Carroll, Fayette, Heard, Meriwether, Troup and Clayton.

Opposition to the motion was led from the floor by Castleman, who said it would be redundant in view of the state PTA action last year.

Castleman was applauded by the audience of some 550 when he added: "I resent the criticism we received from the press and the mayor on this thing."

Mayor Hartsfield had told Mrs. F. W. Head, president of the Atlanta PTA Council, last week that he thought it a "shame" and "disgrace" that the council didn't speak out for local option at the recent Sibley panel hearing here.

Mrs. Head replied to the mayor earlier this week, citing the 1959 convention action of the Georgia PTA Congress.

New district officers elected at the conference Wednesday include Mrs. George V. Wendling, Atlanta, director; Mrs. V. H. Shellnut, Clayton County, assistant director; Mrs. Lloyd Lake, Fulton, recording secretary, and Mrs. J. O. Higginbotham, Atlanta, corresponding secretary.

# Support Increases For Local Option

The Sibley school study commission will hear additional testimony today in Atlanta and Columbus as it winds up its hearings on the state's impending school crisis.

Regardless of the commission's final report, the hearings themselves have served a useful purpose. They have proved the extent of the problem and have served a useful educational function. They have been conducted fairly and at times have appeared to be pressured unduly by audiences. But Chairman Sibley has managed to preserve the integrity of the commission and the hearings.

The wide diversity of opinions, measured largely by geographical divisions in accordance with the extent of the problem, seems to indicate no one final solution at this time. The term "local option," which in its broad interpretation means giving local communities the right to choose whether or not to close schools to preserve total segregation, is gaining more and more support.

Latest to voice such support is Dr. M. D. Collins, state school superintendent emeritus. Dr. Collins, whose 57 years of experience in Georgia school affairs entitle him to respect and full hearing, says he is for segregated schools but also is unalterably opposed to ending public education.

Dr. Collins, it will be remembered, fought the constitutional amendment for private schools in 1954. He points out that our public schools have been built on local control and that no private school program adequately can take the place of tax-supported public schools.

At Columbus ministers voted 51 to 1 in favor of local option in a secret ballot.

While the question is far from resolved and many hard decisions still must be made, Georgians no longer are unaware that sooner or later a decision must be made. The court order facing Atlanta still stands.

Meanwhile, the Sibley commission also has been studying operation of the Virginia plan, which was born in crisis but which appears to be operating very well. Its form of local option, which also includes an individual freedom of choice plan between attendance at a public school or an equivalent scholarship in any private or public school located elsewhere without regard to segregation, is working well.

We hope that out of the Sibley group's studies come recommendations which will enable Georgia to prevent even a single school from closing. But whatever the recommendations, the Legislature and the people must make the final decision.

# Let School Board Do Its Own Job

Atlanta's school board will meet Monday night to elect a superintendent to succeed Miss Ira Jarrell who under the regulations retires in June.

Dr. John W. Letson, Chattanooga school superintendent, is under consideration. We are not acquainted with Dr. Letson. But we have looked into his record. He is as Southern as corn bread and grits. He is from Alabama and is an Auburn man. He has done a magnificent job in Chattanooga. He is qualified in experience, ability and character.

Presently a small group containing, for some inexplicable reason Municipal Court Judge Luke Arnold, says it thinks we ought to elect some person from Atlanta just because they are from Atlanta.

This has a superficial logic to it. But as an overwhelming majority of the teachers could tell this group, this is the worst thing that could happen, even though we are sure there are capable persons in the city. The group speaks, knowingly or by accident, for an undercover movement which wishes to create a dynasty. Miss Jarrell has done a great job for the school system. Her plans have worked well because they were hers and she directed them. But Miss Jarrell is leaving. Someone else can't continue to be Miss Jarrell. A clique can't act for her.

It would be the worst sort of folly for the school board to do other than what it is doing—select the person who can do the best job for the children of this city. The small group which apparently wants to protect the assignments of a few people, who seem to fear they may be changed, can't expect the board to put school administration politics above the welfare of thousands of children.

The history of superintendent changes by large local systems reveals that the rule, rather than the exception, is to go outside for an administrator not deep inside the system.

We believe the welfare of the children is bound by law to select the board's successor and by morality to select Atlanta teachers is, in general, very low. It is low because of a fear the board may wishes to rule as a regency when Miss not bring in an administrator from out Jarrell retires.

The undeniable fact is that morale of bitions of a small clique which seeming the best available person. This we be- the am- lieve is what the parents want done.

# It's Harder Now to Avoid Integration, Griffin Believes

Former Gov. Marvin Griffin said Monday he believes events since he was elected in 1955 have made it more difficult for Georgia to avoid school integration.

And he said he would not "subject the people of Georgia" to a fight with federal troops as in Little Rock to prevent the integration of schools.

Yet, he went on, he would not be like some Georgians who are ready "to surrender at the pop of a paper bag." He said he's for "fighting until we fall to the ground and then pick up rocks and throw them.

"If it didn't involve the principle of states' rights, I'd say give some of the people in Atlanta who have been asking for it integration until it runs out of their ears," the former governor said.

Griffin also said reports of corruption in his administration were "strictly political, strictly trash." He said the good works he's done "far outnumber and far outdistance" the reported wrongdoing.

He also accused Gov. Vandiver of accomplishing nothing for Georgia "except throwing brickbats at his predecessor." He said Vandiver's accomplishments could be summed up by "taking a zero and removing the rim—and you've got nothing."

And he dodged repeated questions during his appearance on WAGA-TV's Reporters Notebook on whether he would run for governor in 1962. "I won't say I will or I won't," he commented at one point.

However, Griffin did admit he has told Gov. Vandiver that he was "running like a July hound."

He explained, "A July hound never quits running .. . when he gets on a trail, he never quits."

Griffin refused to discuss the cases of officials under his administration who are awaiting trial or who have taken the Fifth Amendment when questioned by investigating grand juries.

"There's been enough trial by newspapers of Atlanta, Ga.," he said as he complained that the Vandiver administration and The Atlanta Constitution and the Atlanta Journal are "out to romp on the 'outs' so that they never can get back in (office) again."

Griffin said that Gov. Vandiver does nothing "but sit in Atlanta and throw brickbats" at Griffin and as a consequence Georgia's industrial growth "has come to a grinding halt" and no roads are being built in rural areas.

Asked of such controversial figures as former revenue director T. V. Williams or Griffin's brother, Cheney, would be in his administration again if he were reelected, Griffin said he didn't know, that they might not be interested. "Why don't you ask them?" he suggested.

# Negroes Hit Schools In Ware

Constitution State News Service

WAYCROSS—A Waycross Negro citizens group has asked the board of education for extensive improvements of Negro school facilities.

The group presented a plan to the board which includes a modern senior high school, an auditorium, gymnasium, modern science department, intercommunications system, library, lunchroom and more textbooks.

Robert M. Harris Jr., spokesman for the Negro group, said Waycross has had a "backward look" as far as educational needs of his race are conderned.

The group asked the right to select the site of the proposed new Negro high school. Harris said two of the Negro elementary schools have poor drainage and water often stands in the classrooms.

City School Supt. J. D. Salter told the group that no state school building funds would be available until after the November general election.

# NEGROES EYE FAST SCHOOL SUIT APPEAL

## Will Ask Court To Advance Case, Lawyer Says

By MARGARET SHANNON

Negro lawyers will ask the U.S. Fifth Circuit Court of Appeals to act quickly to knock out a district court order delaying a decision on putting the Atlanta school desegregation plan into effect.

Attorney E. E. Moore Jr. said Negroes will seek to get the appeals court to advance the case on its calendar so it can be disposed of before May 1.

The Negro attorneys filed a notice of appeal Wednesday less than four hours after U.S. District Judge Frank A. Hooper said he would wait until after May 1 to decide whether to order the desegregation plan activated this fall.

*Text of Judge Hooper's order on Page 47.*

Judge Hooper said he will give the state school study commission an opportunity to complete its task of finding out what the people of Georgia want to do about changing segregation laws.

* * *

**THE NEGOES TWO** weeks ago asked Judge Hooper to ignore the study commission and order the Atlanta Board of Education to go ahead and put the plan into effect.

But Judge Hooper Wednesday denied the Negro request and set a hearing for May 9 on the study commisison's report, which is supposed to be completed and submitted to Georgia Senate and House presiding officers by May 1.

* * *

**THE NEGROES** contend that unless the plan is ordered into effect by May 1, its operation will be delayed at least a year. The plan calls for students' transfer applications—the step by which Negroes will seek admission to white schools—to be made May 1-15 for the school year beginning the following September.

Judge Hooper in setting the May 9 hearing on the study commission report said he "will then determine the question as to the date on which said Atlanta plan must become operative."

* * *

**REPEATING A** sentiment he has expressed in the past, Judge Hooper said:

"This court at the present time is not utterly without hope that the people of Georgia, when properly and adequately informed of the true issues in the matter, will adopt a course of action which will preserve the common schools of Georgia and avoid a closing of the same, which might bring on a disruption and damage requiring many years to repair."

Judge Hooper said that his failure to rule at this time does not preclude an order for the plan to go into effect as of September of this year.

* * *

**HE SAID A DELAY** of the decision until after the Sibley commission has reported does not mean that it will be too late for the first phase of the plan to proceed.

He pointed out that applications for transfer from one school to another — the machinery by which Negroes would be able to effect desegregation—could not be filed anyway before May 1 and could be filed for several days after the May 9 hearing. The deadline for applications is May 15.

"Reception of such applications by the Atlanta Board of Education would not be a violation of any Georgia law, nor a commitment upon their part that the plan would begin in September, 1960," the judge said.

* * *

**JUDGE HOOPER** said the failure of the 1960 General Assembly to enact legislation to allow the Atlanta desegregation plan to go into operation without conflicting with state laws "does not close the door necessarily to institution of (the) plan, whether effective September, 1960, or September, 1961."

He said the Legislature's lack of action "does not come as any great surprise" to people familiar with legislators' previous campaign promises.

Nor was it a surprise to those familiar with "the general misconceptions in the minds of perhaps a majority of the people of this state concerning the real question at issue, and concerning the gravity of the decision which the Legislature is called upon to make," he said.

Judge Hooper agreed with school board contentions made in an answer filed Tuesday to the Negro motion for May 1 activation of the plan that it cannot be finally determined what action the General Assembly will take until the study commission has made its recommendations and the Legislature has considered them.

He also agreed that the commission is of high caliber and that it is approaching "in good faith" the problems raised by the Atlanta integration suit and Judge Hooper's actions in the suit.

Judge Hooper said he took judicial cognizance of the fact that the commission's public hearings are "giving the people of this state an opportunity of full and free discussion participated in by people of all races, color and schools of thought."

He said the hearing are "conducive to a better understanding . . . of the real issues involved" and will enable citizens to determine whether they prefer local option or sticking by present laws to the extent of a statewide shutdown of public schools.

The board, through its attorneys, told Judge Hooper that the Georgia General Assembly did not completely ignore Atlanta's problems, but set up the State School Study Commission to determine what course the people of Georgia wish to take.

* * *

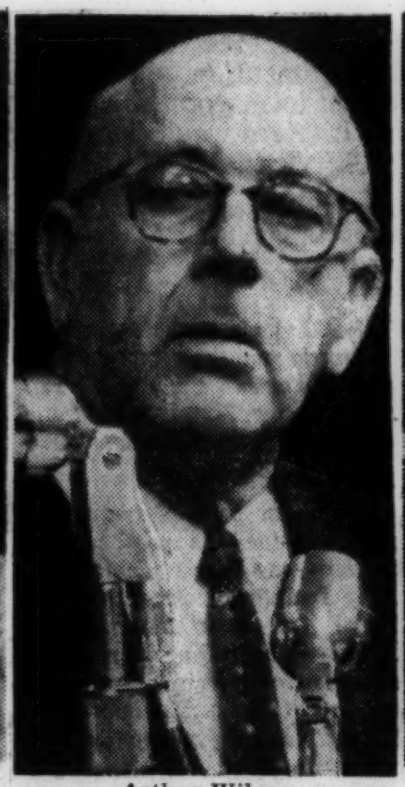
**THE SCHOOL BOARD** contended it has not yet been finally determined that the Legislature will not approve the Atlanta desegregation plan and make it possible for the plan to be put into operation by changing conflicting state laws.

Although there was a hint of a possible delay of a year in activation of the plan, Judge Hooper said:

"No good purpose can be served by a district judge in delaying enforcement of the (U.S.) Supreme Court decree, unless during such periods of delay, good-faith efforts are being made by defendants in the case to work out a solution to the many difficult problems therein involved."

Staff Photos—Bill Wilson
*Mrs. Robert Hartley*

*Rev. Hollis Warren*



*Arthur Wilson*

*Mrs. Henru Parrish*

# School Closings Favored, 4-3, in Coffee County

By BRUCE GALPHIN
Constitution Staff Writer

DOUGLAS—Segregation-at-all-cost forces outvoted local option advocates 4-3 in this Coffee County seat Monday in a rip-snorting Eighth Congressional District hearing held by the Sibley committee.

This district was the second of the polls so far which have been asking to close the state's public schools to preserve segregation.

Three others have given major support to local option.

But despite the 82-64 edge given to the close-the-school proponents Monday, there was further evidence that the Sibley Committee will end up recommending the people have a chance to vote on the question.

**SIBLEY ASSAYS HEARING**

Chairman John Sibley gave an indication in his opening remarks that this is the way his committee has assessed the testimony from the first four hearings.

Discarding his usual printed remarks, he made the simplest yet most detailed explanation of the local option plan he has yet outlined.

Under a U.S. Court ruling in Kansas, he declared, "The public schools by choice . . . can be maintained separately."

Under local option, he explained, segregation is legal as long as it is not challenged in a given school system.

**NOT REACHING ALL?**

"The white people and the colored people can work it out outside the law if they want to . . . the local communities are the places where the issues are finally settled," Sibley said.

As the hearing proceeded, Curtis Hamilton of Appling County, who supported segregation at all costs, complained that the committee was not reaching all the people.

Town-meeting type votes are the only way of determining the true sentiment of the people, Hamilton added. "These little clubs that are reporting (for local option), they're piling up on you," he complained.

Sibley replied, "We recognize full well that this is no perfect way."

But he added: "If you have a vote on this question this is the time you will have these meetings and argue it out."

**146 TESTIFY**

At Monday's hearing, 146 persons took the stand—nearly half again as many as at any previous meeting.

Of these, 82 were for closing the public schools to preserve segregation while 64 favored either local option, a vote on the subject or (in the case of a few Negroes) outright integration. One woman said her club favored option but she herself disagreed. One Negro had no opinion.

Coffee, the host county, piled up a big majority for local option. (The county voted against the private school amendment in 1954.)

Glynn County's 15 witnesses were unanimously for local option, as were three from Lanier.

Local option majorities were registered from Berrien, Bacon and Wayne counties.

**161 FAIR OPTIONIST**

And ironically, the only witness who testified from Telfair, county of former governor Gene Talmadge, was a Negro who favored local option.

Witnesses from Lowndes (Valdosta) rolled up an 18-1 vote for closing the schools if necessary.

Other counties willing to go all the way were Irwin, Cook, Atkinson, Clinch, Echols, Jeff Davis, Ware, Appling, Pierce, Brantley, Charlton and Camden.

Monday's hearing featured some big names but also had more individuals speaking for themselves than any previous meeting.

Witness after witness from Lowndes, for instance, insisted on taking the stand to say "amen" to the closing-if-necessary sentiment expressed by Country Johnson.

There also were several state employes, including two state troopers, a Veterans Service worker, a parole supervisor, forest ranger, and Revenue Department alcohol tax agent.

Lonnie Sweat of Blackshear, a member of the State Board of Education, supported school closing. He said he "wouldn't presume to speak for the board, though I believe a majority feel as I do."

And John Langdale of Valdosta, former state senator and member of the influential Lowndes County family, said he was willing to go all the way.

Rep. Downing Musgrove of Clinch, another well-known state political figure, also spoke for total segregation. He said he was not appearing personally, but representing the Clinch Grand Jury, Board of Education, and County Commission.

On the other hand, Jimmy Bishop of Bacon County, governor of Boys' State, declared that "I'm not for integration, but I think it should be left up to the home people."

A college girl, Miss Mary George Deen of Douglas, also spoke up for local option. "They tell you as you grow up, you get disillusioned. I feel like I really have today.

"It's almost broken my heart today to hear people who are supposed to care not care," she added.

Ten Negroes testified Monday, nine of them making either strong pro-integration statements or at last supporting local option.

Sibley crossed swords during the hearing with the Rev. Hollis D. Warren of St. Ambrose Episcopal Church in Waycross, who challenged whites who claimed to speak the sentiments of Negroes.

"A white employer certainly wouldn't be able to tell what feelings they are feeling," Warren declared, adding that Negroes were under "economic pressure."

Sibley said the minister's statement in effect challenged the motives of other speakers, but Warren stuck by his guns.

Though there were no hard and fast rules, Monday's hearing generally showed again that the strongest local option support is coming from ministers, PTAs and other school groups; labor and veterans organizations generally opposed it.

# ATLANTA OBTAINS DELAY ON SCHOOLS

## U.S. Judge Puts Off Decision on Integration Until May —Awaits State Report

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, March 9—A decision on when Atlanta schools must begin desegregation was postponed today until May in Federal District Court.

Judge Frank A. Hooper said he would take no action until a state legislative commission reported May 1. The commission is holding public hearings to determine whether Georgians want to change their segregation laws or abolish public education.

The judge's statement came in an order denying a request from Negro lawyers. They had asked that the Board of Education here be directed to put its desegregation plan into effect next September.

Judge Hooper did not rule out the possibility that he might set September as the deadline after a further hearing on the matter May 9. But he implied that the court might grant a delay until 1961 if the state made a show of good faith.

"No good purpose can be served by a district judge in delaying the enforcement of the Supreme Court decisions," he said, "unless during such periods of delay good faith efforts are being made by the

defendants in the case to work out a solution to the many difficult problems therein involved."

The General Assembly does not convene until next January. Gov. Ernest Vandiver has said that he had no plans for calling a special session to consider the study commission's report. He and his legislative leaders have maintained a defiant stand against any compliance with desegregation rulings.

Negroes have criticized the commission's hearings. Officials of the National Association for the Advancement of Colored People accused it of having failed to make adequate provisions for them to testify.

Judge Hooper noted in his order that the Negroes could challenge his failure to set the requested deadline as well as his previous approval of the board's grade-a-year desegregation plan. E. E. Moore Jr., chief counsel for the Negro plaintiffs, declined to say whether they would appeal.

**Lawmakers Adjourned**

In their request, the Negroes pointed out that the judge had made the plan's approval contingent upon legislative action allowing it to take effect. The lawmakers adjourned recently without taking any steps in this direction.

Lawyers for the Board of Education, in their reply, called the court's attention to the commission's establishment. They contended that until the panel had submitted its findings and recommendations there could be no determination as to what final action would be taken by the Legislature.

In stating his agreement with the board lawyers, Judge Hooper held that:

"Failure of the Legislature to take such definite action at its recent session does not close the door necessarily to institution of respondents' [the board] plan, whether effective September, 1960, or September, 1961."

He pointed out that Negro students could apply for transfer to all-white schools next September without waiting for the court's decision. The deadline for submission of applications of May 15.

# GEORGIA HEADING FOR SCHOOL CRISIS

## Legislature Ends Without Acting on Desegregation Order of U. S. Court

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, Feb. 20 — The Georgia Legislature adjourned this week without taking action to avert the Deep South's first school desegregation crisis.

Measures that would have allowed Atlanta schools to comply with a Federal Court desegregation order died in committee. Gov. Ernest Vandiver and his legislative leaders maintained a defiant posture throughout the session.

The only positive step was the establishment of a school study commission. The panel will hold public hearings throughout the states and report its findings to the House Speaker and Senate president by May 1.

The new Legislature does not convene until January and a showdown may come long before then. But Governor Vandiver has given no indication that he will call a special session to consider the commission's findings.

**Praised By Governor**

In speaches to the closing sessions of the two houses, the Governor praised them for enacting economy and governmental reorganization measures. His only reference to the school issue was an indirect one.

"The next General Assembly," he declared, "must be like this one, composed of men of character, courage, devotion to state, and with a willingness to fight shoulder-to-shoulder with us in protecting our hallowed institutions and in sustaining our revered way of life."

Help Our Public Schools, Inc., a state-wide organization for preservation of public education whether desegregated or not, criticized the session today in a statement as "a study in negative leadership, time wasted and responsibility avoided." The statement continued:

"The general assembly has used forty days of precious time without coming to grips with the school emergency. Members of the Legislature were not permitted to even consider open school bills on the floor of either house. All such measures were bottled up in committee by edict of the Governor."

HOPE contended that legislators had sought to shift their responsibility to the study commission. This panel, the organization said, "is not a truly representative body" although it includes "men of conscience and integrity."

The statement urged that a special session be held to consider the study commission's report.

"Only the General Assembly can avoid the tragedy of school closure in Georgia this fall," it declared.

**Deadline Not Set Yet**

Federal District Judge Frank A. Hooper has yet to set a deadline for the start of desegregation here. But observers believe this will be the opening of the fall term in September.

Thus, many Atlantans fear that the city will find itself trapped between Federal authority and state laws that would force the Governor to shut down any desegregated school.

The Atlanta Board of Education submitted a grade-a-year desegregation plan to the court before the opening of the Legislature. At the court's direction, the plan was made contingent upon the enactment of enabling legislation.

Judge Hooper explained at the time that he wanted to give Georgians a choice between acceptin gsome desegregation and closing their schools.

In the absence of legislative action, it appeared that the next move was up to the judge. He has not said what he will do under such circumstances. But he has noted that he had never committed himself to the idea that the mere creation of a study commission would satisfy the court.

**Showdown Discounted**

Some officials within the Vandiver administration indicated that they believed the court would not force a showdown until 1961. Lieut. Gov. Garland Byrd was reported to have said this week that no Negro had applied for transfer to a white school.

"These matters are yet to be litigated," he was quoted as saying. "In my private practice of law, I never admit a cause is lost until it is over."

The period for applying for transfer under the Atlanta board's desegregation plan is from May 1 to 15. Sources here within the Negro community said there would be no dearth of applicants.

Moreover, the attorney for the Negro plaintiffs in the case, E. E. Moore, declared that he would take further legal action if necessary to guarantee the start of desegregation in September.

Despite the approaching Federal-state clash, confidence was expressed here in high official circles over Atlanta's ability to prevent its schools from being shut down.

This optimism was based on a legal plan to challenge the constitutionality of the state segregation laws before they can be invoked by the Governor.

# School-Closing Threat Boosts Summer Classes in Fulton

Public concern over the threat of schools being closed here in the integration crisis has had some effect on enrollment on summer classes in the Fulton County schools, Supt. Paul D. West said Friday.

West said enrollment for classes which begin Monday and run through Aug. 5 is well beyond expectations.

The superintendent emphasized, however, that the effect of the integration crisis on the county schools is "not as pronounced" it is in Atlanta summer schools because the county system is not involved in any integration suit as is Atlanta.

Earlier, Atlanta schools reported the largest summer school enrollment in the system's history. The integration crisis was listed as the major cause.

West also emphasized that the county summer school enrollment has "pramided greatly over the last two years."

At the same time he explained that county summer schools have, for the past three years, been following a program aimed at providing a "total school experience" for the child and not one which merely meets a limited demand.

This in itself has gotten a good response, he said.

County summer schools will be operated at the following locations:

White elementary — Alpharetta, Hammond, College Street, Central Park and Union City.

Negro elementary—J. F. Beavers and East Point..

White high schools—Campbell, Russell, Sandy Springs, Roswell.

West said there was not enough demand to warrant holding Negro high school sessions for the summer.

14d(1) 1960

GEORGIA

# New Action On Atlanta Schools May Be Brought

Atlanta Daily World
Atlanta, Ga.
Wed. 2-17-60

## Study Commission Termed No Answer To U.S. Court

14d(1)
9a

By AL KUETTNER
(United Press International)

A school study commission established by the Legislature went to work Wednesday against a threat of new federal court efforts to desegregate Atlanta schools.

Plaintiffs who won a suit desegregating the capital city's schools disclosed Tuesday they plan to return to the U. S. district court, possibly before March 1, to ask for immediate implementation of the court's school order.

E. E. Moore, attorney for the plaintiffs, said that creation by the legislature of a study commission to work out a solution to the city's school-racial dilemma was not satisfactory.

"Unless the Legislature adopts something to implement Judge Frank Hooper's order that Atlanta schools must be operated without regard to race or color, we will go into the court very soon after the legislature adjourns and ask for further relief," Moore said.

**REJECTED EVERY MEASURE**

The Legislature, which adjourns today, rejected every measure dealing with the school issue but set up a study commission to look into the problem and report back in 1961.

Rep. James A. Mackay, DeKalb legislator who authored a measure that would give local veto powers on school closings, said that by the legislature's inaction, "We have invited the federal court to maintain the initiative."

"The court did not ask us to solve the problem, it asked us to deal with the problem," Mackay said.

The School Study Commission, composed of six legislators and 11 non-lawmakers, will meet at 10 a. m. Wednesday in the old Supreme Court room of the capitol to organize fo rits whirlwind 10-week effort at solving the school crisis.

**HOLD PUBLIC HEARINGS**

The study group is scheduled to hold public hearings in the 10 congressional districts, write a report by May 1 and make recommendations to the 1961 Legislature as to whether the people should be allowed to vote whether to change the state's segregation pattern.

The study commission has been given a number of proposals that have been submitted to the Legislature dealing with efforts to keep schools open regardless of desegregation. They include MacKay's parents choice plan that would require local elections before schools could be closed and a measure writing the Atlanta placement plan into state law.

Moore said that the position of the plaintiffs, should the Legislature fail to pass implementing legislation, would be that the Atlanta school case is right where it was last summer when Hooper ordered the city school board to cease assigning pupils on a basis of race or color.

Moore said that the plaintiffs also may appeal Hooper's 1959 decision, even at this late date. He said it would be based on a number of grounds but mainly will attack stairstep provisions of the approved plan.

Hooper agreed to a placement plan establishing a number of non-racial factors for admission and transfer of pupils. It starts in the 12th grade and works down one grade a year.

# Negroes Plan School Push This Month

The Atlanta Constitution
Atlanta, Ga.
Wed. 2-17-60

Atlanta Negroes plan to go into federal court after the General Assembly adjourns and seek implementation of the court's decree ordering the city's schools to operate without regard to race or color, a spokesman for the National Association for Advancement of Colored People says.

14d(1)
9a

E. E. Moore Jr., attorney for the Negro plaintiffs seeking admission to the all-white schools, said his clients' movements "hinge on what the legislature does or does not do" in enacting measures to allow the Atlanta Board of Education to desegregate. He indicated that they may go back into court before March 1.

**COMMISSION MEETING**

Meanwhile, a school study commission established by the legislature to work out a solution for Georgia's school crisis was scheduled to meet Wednesday to organize for a 10-week tour of the state to sample public opinion on the problem.

However, the NAACP does not consider establishment of the study commission as a satisfactory answer to the court decree.

"Unless the legislature adopts something to implement Judge Frank Hooper's order that Atlanta schools must be operated without regard to race or creed, we will go into court very soon after the legislature adjourns and ask for further relief," Moore said.

**APPEAL INDICATED**

So far the legislature has rejected every measure dealing with the school problem at this session of the General Assembly except for creation of the study commission.

Moore said the Negro plaintiffs are not satisfied with the Atlanta School Board's desegregation plan which was approved by Judge Hooper and may appeal it in federal court.

He said the plan was submitted by the board and approved on the contingency that the legislature would pass legislation permitting the Atlanta schools to put the plan into effect.

Moore said the plan appears to be "more restrictive" than pupil placement plans elsewhere.

The Atlanta plan combines grade-a-year desegregation commencing in the 12th grade with academic, sociological, and psychological factors.

The NAACP has attacked the plan saying it is based strictly on "race."

Outlining the courses which he and other Negro attorneys may take after the legislative sessions end, Moore told the Atlanta chapter of the NAACP Monday night that they plan to go back into court "within a reasonable time," possibly before March 1.

On Capitol Hill Tuesday, Rep. James A. Mackay, DeKalb legislator who authored a measure that would give local veto powers on school closings, declared that by the General Assembly's inaction "we have invited the federal court to maintain the initiative."

14d(1)

Georgia's school study commission will hold public meetings in each of the state's 10 congressional districts and then compile a report of their findings by May 1. They will make recommendations to the 1961 Legislature as to whether Georgians should be allowed to vote whether to change the state's segregation pattern.

The commission will be composed of six legislators and 11 nonlawmakers.

# Barksdale Probes Segregation Of The Southern Schools Here

By WILLIAM A. FOWLKES
Managing Editor, Atlanta Daily World

Dr. Richard K. Barksdale, Department of English instructor at Morehouse College, gave a penetrating analysis of the continuing conditions of segregation in Southern schools at the Butler Street YMCA Hungry Club Wednesday.

Speaking on the subject, "Spring Visit to Segregation Land, U. S. A." Dr. Barksdale led his hearers through a word picture of rural areas where he said he found:

"The schools were all new, built since 1954 to accommodate a population based on the census of 1950 and to adjust to the separate -but equal doctrine legally formulated in 1896. Funds for janitorial maintenance of these huge, rambling structures were uniformly inadequate; hence, building maintenance was very poor. As everyone knows, an overcrowded, poorly maintained school can become an old and jaded school within a very few years. So all the schools were new-old and carefully removed to the fringe of the community in order to avoid the slightest hint of racial integration."

"Five years after the Supreme Court's decision," Dr. Barksdale continued, "one could only say:

"Old-new principal, new-old school;
But same old peasant and same old rule.

Same white scars, same black face,
Same white law to keep you in your place.
Same tired land, same tired mule,
Same sweat and toil, working like a fool.
Same dusty road in same part of town.
Same crafty deals to keep a Negro down.
Same black hopes, same black fears,
Same black anguish, same black tears."

The speaker concluded: "Yes, not too much had changed — not even the land. Indeed, in the newness of the morning it looked good —without its people."

# Talmadge, Russell Ignore Plea for Public Schools

(Courier Press Service)

ATLANTA—Neither U. S. Senator Herman E. Talmadge nor U. S. Senator Richard B. Russell, both fire-breathing white supremacists, said one single word directly about the pressing school segregation crisis looming in Georgia's capitol. Nor did they appear to notice a "segregation drama" being unfolded above them involving The Courier's roving reporter, Trezzvant W. Anderson and another Negro.

Senator Talmadge took 24 minutes to deliver his address to the joint session of the Georgia General Assembly, and Senator Russell took 27, but neither would directly mention the school crisis nor did either ever say the word "Negro" or "colored race."

Senator Russell did, however, show an astonishing inability to pronounce the name "NAACP." On three occasions, eh called it On three occasion, he called it he referred to it as "the NAPC." But there was no doubt as to what organization he was referring to.

**MEANWHILE**, the visitors' gallery was packed and jammed with white women, men and children, hundreds of them bearing signs: "We Want Public Schools." They overflowed all parts of the gallery, even the section marked "Reserved for Colored." When The Courier's roving reporter came in and stood behind the massed whites, House Doorkeeper J. Robert Smith acted swiftly.

(He had just had a hassle a few days before, when white Morehouse College professor, Ovid Futch, was ejected because he sat with two Negro students from Morehouse. Mr. Smith did the ejecting—to the cheers of the members of the House below.)

He apparently wanted no disturbance in his gallery that day.

Mr. Smith moved all the whites out of the restricted area, turned to Anderson and said: "Step right down and take a seat." The Courier reporter did so. A few minutes later another Negro man came and sat down next to Anderson.

Then two white House page boys walked down to the front and stood. Mr. Smith quickly got them out. That was the "colored" section. Then a small white kid, about 5, in jeans, came in and took a seat beside the other Negro. Smith quickly shooed him out. He came back and was shooed out again.

■

Segregation had again been preserved, and the two Senators —and the Governor—seemed not to notice it.

# Negroes appeal decision to delay Atlanta mixing

ATLANTA, March 10—(AP)—A Federal judge's decision to delay a ruling in the Atlanta school integration case is being appealed to a higher court.

ATTORNEYS for Negro plaintiffs seeking desegregation filed notice of appeal within hours after Judge Frank A. Hooper yesterday refused their plea to order implementation of the Atlanta desegregation plan next Fall.

Hooper said he will hold a hearing May 9 on whether Atlanta's proposed grade-a-year plan will go into effect this Fall or in 1961. He said he did this to give the School Study Commission an opportunity to report on its findings.

THE STUDY COMMITTEE report is due May 1 and Hooper said there would still be ample time for school transfer to be completed before the May 15 deadline set up in the plan if it is ordered effective this Fall.

VANDIVER WARNED

# Many Georgians Wouldn't Return To The Schools

## 2,798 Request "Save Our Schools," 2,030 For Bias

(United Press International)

Governor Ernest Vandiver was presented Tuesday with two voluminous petitions—one a segregationist telegram signed by 2,030 Cobb County residents and the other a mimeographed "Save Our Schools" petition from 2,798 DeKalb County residents.

Both petitions were guided to the governor by members of the House.

At the same time, the Southeastern Georgia Chapter of the National Association of Social workers wired the governor that closed schools would influence many students not to return to classes.

The Cobb County telegram, reported by the Western Union to be 130 feet long, was sent originally to Rep. Harold S. Willingham of Marietta who showed it to the governor during the morning and later read its text, but not the names, on the House floor.

The telegram said the signers wanted the Cobb County delegation, other House members, the governor and all state officials to see a "token" of Cobb County's support of their fight against school integration.

A delegation of women headed by Mrs. John Lyles had more trouble in getting the DeKalb County petition before the governor.

After waiting for two hours in vain Monday and three hours, 45 minutes on Tuesday in the executive department lobby, Mrs. Lyles sought the help of DeKalb County Rep. Guy Rutland.

Rutland sent word in to the governor who promptly interrupted a conference with several legislators and department heads concerning another matter and gave Mrs. Lyles an interview which she estimated lasted about one minute.

"Fine-Fine," the governor said in a low, polite voice as Mrs. Lyles and two companions, Mrs. Phillip Berkelman and Mrs. Robert Jackson presented the petition.

The women said they had shown their petition to State School Board Chairman James S. Peters and to Sen. Herman Talmadge over the weekend but had found the governor "inaccessible."

"There's a right place and time," Vandiver commented politely. "Thank you so much. I appreciate it, I certainly do."

The Social Workers' organization, representing 38 counties in southeast Georgia, listed seven reasons why schools should not be closed.

"Many students, having interrupted their education will not return to school," the telegram said, adding that "increased idle time would lead to increased juvenile delinquency which would overburden our already understaffed case work agencies."

VANDIVER WARNED

Many Georgians Wouldn't Return To The Schools

2,798 Request "Save Our Schools," 2,030 For Bias

(United Press International)

Governor Ernest Vandiver was presented Tuesday with two voluminous petitions—one a segregationist telegram signed by 2,030 Cobb County residents and the other a mimeographed "Save Our Schools" petition from 2,798 DeKalb County residents.

Both petitions were guided to the governor by members of the House.

At the same time, the Southeastern Georgia Chapter of the National Association of Social workers wired the governor that closed schools would influence many students not to return to classes.

The Cobb County telegram, reported by the Western Union to be 130 feet long, was sent originally to Rep. Harold S. Willingham of Marietta who showed it to the governor during the morning and later read its text, but not the names, on the House floor.

The telegram said the signers wanted the Cobb County delegation, other House members, the governor and all state officials to see a "token" of Cobb County's support of their fight against school integration.

A delegation of women headed by Mrs. John Lyles had more trouble in getting the DeKalb County petition before the governor.

After waiting for two hours in vain Monday and three hours, 45 minutes on Tuesday in the executive department lobby, Mrs. Lyles sought the help of DeKalb County Rep. Guy Rutland.

Rutland sent word in to the governor who promptly interrupted a conference with several legislators and department heads concerning another matter and gave Mrs. Lyles an interview which she estimated lasted about one minute.

"Fine-Fine," the governor said in a low, polite voice as Mrs. Lyles and two companions, Mrs. Phillip Berkelman and Mrs. Robert Jackson presented the petition.

The women said they had shown their petition to State School Board Chairman James S. Peters and to Sen. Herman Talmadge over the weekend but had found the governor "inaccessible."

"There's a right place and time," Vandiver commented politely. "Thank you so much. I appreciate it, I certainly do."

The Social Workers' organization, representing 38 counties in southeast Georgia, listed seven reasons why schools should not be closed.

"Many students, having interrupted their education will not return to school," the telegram said, adding that "increased idle time would lead to increased juvenile delinquency which would overburden our already understaffed case work agencies."

Legislature "Hasn't Done Anything"

# Desegregation By May 1 Asked

Attorneys asked Federal Judge Frank Hooper Friday to order a court-approved Atlanta School integration plan into effect May 1.

The attorneys asked Hooper for immediate action because the Georgia legislature in its recent session failed to take advantage of a chance to reconcile a conflict between state and federal law.

Judge Hooper ordered the motion filed and for defense attorneys to submit their response and any arguments or briefs they wish to file within 10 days after the order is served, probably next Monday.

The lawyers were Mrs. Constane Baker Motely of New York and E. A. Moore, Jr. and A. T. Walden of Atlanta. Mrs. Motley is a nassistant to attorney Thurgood Marshall.

**RECOGNIZED CONFLICT**

Hooper, in approving a plan for gradual integration of Atlanta schools last December, said he recognized that it conflicted with Georgia's strong segregation laws and provided time for the legislature to amend Georgia laws.

"The Legislature hasn't done anything," Mrs. Motley said. "That's why we are filing the motion."

The 1960 state General Assembly did nothing to change or weaken Georgia's statutory and constitutional provisions calling for immediate closing of any school ordered desegregated, and forbidding the use of any state funds to maintain mixed classrooms.

State administration spokesmen and other observers have predicted alike that the closing of a single school will prompt a taxpayer's petition to close all schools on grounds that citizens must receive equal treatment under the law.

However, the lawyers pointed out that unless the plan is ordered in effect they would lose their rights to apply for integration next September and have time to use the appeals machinery set up under the Hooper-approved plan in cases where a Negro applicant is rejected by aso-called white school.

**TIME FOR APPEALS**

That plan calls for filing of all applications between May 1 and May 15 in order to give time for any possible appeals.

The only action the Legislature took was to create a study commission to learn through hearings over the state whether Georgians want to consider changing their laws or prefer to allow all public schools to close.

That commission is under orders to submit its report by May 1.

"Even if the commission did come up with something favorable, I don't think the Legislature would pass it," Mrs. Motley said, adding she believed it would be "unrealistic" to expect any favorable legislation action "after all these years."

Attorney Moore said he would personally serve Judge Hooper's order on Atlanta School Board attorneys next Monday instead of waiting for the possible slower service by U. S. Marshals.

# Governor Hits Call for Harassment

Gov. Vandiver made it clear Wednesday that Augusta politico Roy Harris is not running his segregation strategy.

The governor gently put Harris down on two points.

Asked first to comment on Harris' proposal to harass opponents of all-the-way segregation by telephoning them "40 times a day," Vandiver declared:

"I feel very much like the General Assembly felt. They voted unanimously (in the House) to make it illegal.

"I've been harassed a little myself at times," the governor added.

Vandiver also said he has no plans to speak at a rally of the Metropolitian Association to Continue Segregated Education.

Harris told a Monday night meeting of the MACSE that a speech by the governor would climax the group's offensive to resist integration of Atlanta schools.

At his Tuesday press conference, Vandiver said he had not heard of the proposed engagement.

He said Wednesday that he has since discussed the matter with Harris and that he still has no plans to speak to MACSE.

# Whites, Negroes Ask Segregation

Dozens From Both Race Call For Same Setup In South Georgia

By The Associated Press

AMERICUS, Ga., March 3 — South Georgians, white a Negro, testified by the doze Thursday that they want co tinued segregation of the schools.

Only one witness, a Neg minister, told the Georgia Scho Study Committee that he f vored integrated schools.

Two white persons said th thought the people should get chance to express their opini by secret ballot. But most of or more witnesses demande continued separate schools ev if they must give up their pu lic education system.

**Opinions To Be Asked**

The committee was set up the 1960 Legislature to ask t opinions of citizens all over t state how to meet threaten school integration. Atlan schools were ordered to in grate by a Federal court. T court order set no definite da but gave the Legislature tim to resolve the conflict betwe state segregation laws and t 1954 U. S. Supreme Court ruli on school segregation.

More than 700 persons fr all over the 24-county Th Congressional District jamm a court room and flowed in corridors, where the proce ings were carried by loud spea er. Chairman John A. Sible Atlanta banker, is conducti the hearings.

Rev. W. R. Walters of Colu bus, first of eight Negro w nesses, said "yes sir" wh Sibley asked if he favored in grating the schools.

Most other Negroes favo continued segregation, but qua field their answers by asking for better school facilities.

Joseph Baldwin Sr., of Americus, superintendent of Sumter County's Negro school, said "we are asking continuance of the good will and present friendship between our races. We are happy."

**Local Option Decried**

Most white persons made it clear they wanted continued segregation all over the state at all costs.

"If we lose the fight in Atlanta, we've lost it all over Georgia," said Dr. C. P. Savage, physician and mayor of Montezuma.

Witnesses, including farmers, ministers, school officials and businessmen, gave little attention to a local option idea. This plan would permit each of the state's 159 counties to decide the fate of its own schools.

To Uphold Segregation

# Georgia Governor May Defy Court

MACON, Ga., (AP) — Gov. Ernest Vandiver may be planning to defy the Federal Court in an attempt to keep Georgia's public schools open and segregated when the integration crisis comes to a showdown.

An informed source in the capitol in Atlanta has told Jim Wynn, head of the Macon Telegraph - News' Atlanta bureau, the governor plans to do just that and will go to jail on a federal contempt charge rather than change his stand.

GOV. ERNEST VANDIVER
May Risk Jail Sentence

The governor's plan — reportedly worked out on adivce of Sen. Herman Talmadge — includes dissolving the state board of education and transferring its authority to the executive department, the source said.

In carrying out his plan, the Governor would comply with state laws which require any public schools ordered integrated by the courts to be closed immediately.

**CLOSE SCHOOLS**

Vandiver, also in compliance with state laws, would close the school or schools which the Negro or Negroes ordered admitted to white schools attended the previous year.

But that is where school closings would halt, according to the governor's reported plan. Should a taxpayer's suit be filed seeking to stop state funds from going to other schools and should the court uphold the suit, the Governor would defy the order.

According to the capitol source this is how the Talmadge - Vandiver plan would work:

If and when a Federal Court orders a Georgia school to integrate, Vandiver would close the white and Negro schools involved — thus complying with Georgia law.

A taxpayer's suit would be filed asking that state funds be cut off from other state schools also. The administration does not expect state courts to uphold the action, but thinks a federal court will.

At that point, state funds would be cut off for all the schools in the state by the federal court order and would have to close.

**SPECIAL SESSION**

But, Vandiver would immediately call a special session of the General Assembly and ask the legislators to dissolve the State Board of education.

He expects the strongly segregationist assembly to comply with his request and give him full authority to operate the schools.

Since the board of education is a constitutional body, the plans to dissolve apparently would have to go to the people in a state-wide referendum which would be called immediately by the General Assembly.

Should the voters go along with the plan, and apparently they are expected to do just that, Vandiver will begin dispensing state money to the schools — thus permitting them to re-open.

At that point the federal government could send Vandiver to jail on a federal contempt charge.

Vandiver would still be Governor of the state even though confined in jail, and would still be in charge of the state's schools.

14d(1) 1960

GEORGIA

# 2 Legislators Hint Token Integration

By ALBERT RILEY
Constitution Staff Writer

AUGUSTA—Two top Georgia legislative leaders hinted Friday that the state may ultimately have to bow to federal power and accept token school integration controlled by local option laws.

Rep. Frank Twitty of Mitchell County, administration floor leader in the House, and Senate president pro-tem Carl Sanders of Augusta made these guarded comments.

Not so guarded, however, was Sanders' assertion that the Legislature will never "interpose" the state's school children against federal power and turn them out into the streets.

The two lawmakers were speaking at the 13th and last of a series of forums across the state on legislative problems, sponsored by the Georgia Chamber of Commerce.

Hugh Grant of Augusta, a former diplomatic service official and an ardent segregationist, touched off an exchange with a question to Sen. Sanders.

Grant pointed out that the Georgia legislature back in 1956 adopted a resolution of interposition, declaring the U.S. Supreme Court's 1954 school desegregation decision to be "null and void and of no effect."

Before being silenced by Cam Mitchell, master of ceremonies, for making a speech out of his question, Grant said the Sibley commission has recommended "token integration," and demanded to know if the General Assembly in January will consider implementing the 1956 interposition resolution.

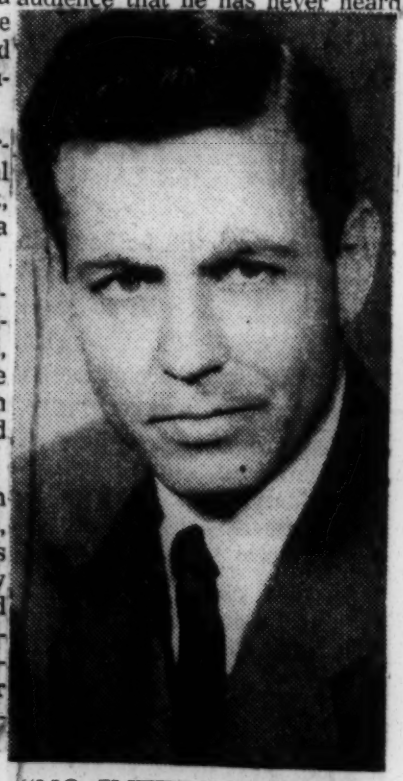
Sanders fielded the question by saying the Legislature can be depended upon to continue to interpose its will and maintain every effort to continue the present system of segregated schools.

But, if even that will not prevail in the face of federal court orders, Sanders said, "We are not going to interpose the children of Georgia and turn them out in the streets."

Sanders' reply drew a round of applause from the audience of business and professional men and women and legislators in the Georgian Room of the Richmond Hotel.

When Grant pressed him to say whether he favored token integration, Sen. Sanders replied that he does not favor any kind of integration but that he does "favor public education in Georgia."

Sanders earlier had assured his audience that he has never heard



"NO INTERPOSITION"
*Rep. Carl Sanders*

any legislator or governor say he wants to see the public schools closed in Georgia.

"We don't want to see another New Orleans . . ." Sanders added at another point, and said, "We won't set Georgia back 20 years," but that the Legislature will stand firm and fight to maintain the state's present laws as long as it can.

# No Change In School Laws Seen

## Legislators Expect Debate, No Action

By CHARLES MOORE
Constitution Staff Writer

ATHENS — The 1961 regular session of the General Assembly will feature much sound and fury on Georgia's school crisis, but no actual legislation to keep the public schools open will pass before a special session next summer.

That is the consensus of legislators attending the second Institute for Georgia Legislators here. Many note a growing concern among legislators about the future of public education, although there is still a sizable number hoping the issue will disappear if it isn't discussed.

What will pass the legislature will be a new appropriations bill and a bond issue to finance a major overhaul of the state's existing highway system, legislators said.

### SCHOOLS TOP ISSUE

Many legislators polled here said they considered the future of public schools in Georgia—caught between the federal court hammer and the anvil of state laws—will be the basic issue in the '61 session that opens in January.

But only a few predict any constructive school-preserving legislation to pass at that time. Most of those interviewed here said what is needed to spur school action is a federal court order placing Negro children in an Atlanta school.

With the prospect of the ultimate closing of all schools, they feel the General Assembly will then—and only then—take action.

One middle Georgia legislator commented privately such a court order "would untie our hands" and permit legislation to be passed.

### RURAL HAZARD

He reported he would like to see some action taken soon. But as a businessman, in a rural section, he said he can't appear to be even a moderate, backing such plans as "local option," and not suffer economically and politically.

But, if faced with a final federal court order, he said he and other legislators can go back home and tell the people there are only two choices: no schools in the whole state or a little integration in Atlanta.

He has no doubt which choice his customers and constituents would make.

Rep. Charlie Pannell of Murray County is one who feels the General Assembly should face the school question next summer. "But I'm afraid it won't," he said.

### MUST SPEAK UP

Pannell also believes Georgia citizens, the moderates who have kept quiet so far, are going to have to start speaking out soon. "As citizens, we are going to have to accept our responsibilities a lot more than we have in the last few years. Individuals have got to speak up to their representatives. . . ."

Sixth District Sen. Dan J. DeLoach of Statenville said he believes the Legislature will have to repeal the state constitutional section that says schools must be segregated.

On the basis of federal court decree, Georgia will have to either repeal its segregation laws or shut down the schools, he said. "We're going to have to face up to it," he added. "And note this, I'm not in favor of one Negro entering a white school in Georgia."

Rep. Bill Abney of Walker County said the school situation will be a big issue in January "but we probably won't do anything."

"How much can we do until we have another general election and change the Constitution?"

### TEACHER RAISE SEEN

Rep. Jack Ray of Warren County is one who doubts the school situation will be an issue in the regular session. "The people of Georgia want segregated schools. I don't think we can have any other kind."

On other issues, which will come up in the regular session, the majority opinion here:

School teachers will get a raise, but it won't be the thousand dollars they are seeking.

The $75 to $100 million bond issue for highway maintenance will pass, but there are several who want safeguards to restrict the money to maintenance and not construction of new roads.

About 200 freshmen and veteran legislators are attending the workshop on legislative procedures and practices that is in session here through Tuesday. "Attendance has exceeded all expectations," said House Speaker George L. Smith. Gov. Ernest Vandiver will address the group at a luncheon Tuesday.

# Must Save Schools, Overby Asserts

## Senator-Elect Asks Action; Backed Closing Law Push

A Georgia legislator who helped push through the state's present school-closing laws called Wednesday for "postive, definite action" in 1961 to preserve public schools.

present "private school" laws—even though similar statutes have been invalidated in other states.

But Overby called for positive action in 1961.

He said an increasing number of legislators are coming around to the open-schools point of view.

He is Senator-elect Howard Overby of Gainesville, who was Senate floor leader in 1955-56.

"I helped pass nearly every segregation law on the books," Overby declared.

**'GOT TO BE FACED'**

"But I don't think we can accomplish any real good by burying our heads in the sand. It is an issue that's got to be faced.

"When a new industry is thinking about moving into Georgia they always want to know about the school situation. But I would be even more worried about us losing industry—about the big concerns moving out of the state—if we actually close down our schools," Overby said.

**SEES SHIFT IN VIEWS**

There is growing talk that some open-schools legislation may be adopted by the 1961 Legislature, but most leaders predict there will be no massive repeal of the

# Schools Deserted By 5,797 Teachers

Georgia lost more than one-sixth of its teachers, principals and supervisors last year, figures from the National Education Association showed Wednesday.

A total of 5,797 teachers, principals and supervisors left Georgia public school classrooms during the past year, a figure representing 17.1 per cent of the total instructional staff.

**U.S. AVERAGE DOUBLED**

The figure was over twice the national average of teaching personnel lost. Other states showed an average of 8.5 per cent.

Teachers left in larger numbers only in four states, California, 9,050; Michigan, 6,969; New York, 7,300, and Ohio, 7,226. In each of these states, however, the total leaving was under 10 per cent of the instructional staff.

The report showed that Georgia topped the national average for percentage of children enrolled in school, but Georgia children attended school less often than do children in other areas.

**900,000 ENROLLED**

According to NEA figures, 88 per cent of Georgia's 1,069,000 youths between the ages of 5 and 17 were enrolled in school last year, while the national average for this age group in school was 82.7 per cent.

Average daily attendance figures showed, however, that 89 per cent of the school children attend school each day on a national average, while Georgia's daily attendance was only 86.5 per cent of the total enrollment last year.

Figures for the 1960-61 school year are similar, with 88.5 per cent of Georgia's school-age children enrolled, compared to an 82.7 national average. Average daily attendance in Georgia is 87.2 per cent, compared to a national average of 89.1 per cent.

Georgia also ranked low in teacher salaries, according to NEA figures. The average Georgia teacher earns $4,200 this year, with the average teacher in the nation earning $5,389.

Only eight states paid teachers less than did Georgia. These were Alabama, $3,900; Arkansas, $3,600; Mississippi, $3,560; Nebraska, $4,140; North Dakota, $4,000; South Carolina, $3,775; South Dakota, $3,750; and Tennessee, $4,140.

Other statistics released Wednesday showed that while Georgia increased its expenditures per child in school by $11.42 over last year's figure, this state still stood fifth from the bottom in amount spent per pupil.

Last year, Georgia spent an average of $224.58 a year for each child in school. This year, the figure is $236.

Even with this increase, only Alabama, $217; South Carolina, $223; Tennessee, $228; and Mississippi, $225.86, spent less per child on education.

# Sibley Study Panel Report Public Today

Atlanta Daily World

Thurs, 4-28-60

## Local Option Believed To Have Slight Edge

The Sibley Committee's mammoth report, scheduled to be presented Thursday morning, was rushed to completion Wednesday amid speculation that it would favor some form of local option.

But it was learned that several committee members favored closing public schools and setting up a private system with state tuition grants as a means of avoiding compliance with federal integration orders.

The group was expected to submit a strong dissenting recommendation.

The 1960 General Assembly, acting at tthe indirect instigation of Federal Judge Frank Hooper, created the 19-member committee to learn the wishes of the people on the school desegregation question and to make recommendations.

After hearing testimony of more than 1,600 persons and hundreds of organized groups the committee two weeks ago began a series of closed-door sessions to draft its report.

The deadline was May 1, next Sunday. But committee members announced they were to make the report Thursday morning at 10:00 a. m. at an open meeting of the committee.

Judge Hooper has waited for the report before conducting another hearing, now set for May 9, in a suit by a group of Negro parents to desegregate the public schools in Atlanta.

The committee found public sentiment divided over whether to stand on present state laws with the possible ultimate effect of widespread closing of public schools, or to amend the law to allow local options on the school closing question in districts where integration is ordered.

## Report Due, Sibley Unit Meets Daily

The Atlanta Constitution

Atlanta, Ga.

The Sibley Committee Monday announced it would hold daily sessions until it releases its report later this week.

Fri. 4-29-60

A spokesman said the committee did not know when the report would be completed. Its deadline is May 1—next Sunday.

P. 3

In a brief statement, the committee said it had been meeting Monday at the office of Chairman John Sibley in the Trust Company of Georgia Building.

All members were present except Georgia Chamber of Commerce President John Dent, who is ill.

Meanwhile, the committee received a petition from 563 students at Henry Grady High School in Atlanta—considered by many to be a likely target of integration orders—urging preservation of public schools.

The petition was circulated by The Forum, a seminar group in the junior class, whose president is Richard F. Barrett.

The petition conceded the difficulty of making moral decisions on the segregation issue, but added that all agreed "that to cut off our public education would be a tragedy of the highest magnitude."

## Assembly Wary; Arnall Speaks Out

P. 20 The Atlanta Constitution

By BRUCE GALPHIN

After holding the hot potato of school integration for 10 weeks, the Sibley committee tossed it Thursday into the laps of the Legislature, courts and state politicians.

Assemblymen for the most part declined to predict the fate of the recommendations. And no one was sure whether they would buy further delay in federal court.

P. 20

But the ink was barely dry on the reports before it was clear the school question would be a political issue for the next three years.

Fri. 4-29-60

Former Gov. Ellis Arnall, who previously announced he would be a candidate for governor in 1962 if schools were closed, promptly announced he would soon begin a series of television addresses to the state.

"I will discuss the school crisis and what must be done to preserve public education in our state," he said.

"Mark this prediction: if the schools are closed, the people will soundly defeat the politicians responsible for closing them," he concluded.

A member of the Sibley committee likewise said the school question would have an important bearing on state politics.

The member, Rep. Render Hill of Meriwether, urged that the school issue be a part of campaigns of those running for the 1961 Legislature.

"It's time to face the issue squarely," Hill declared.

"It should be a political issue," declared Rep. James A. Mackay of DeKalb, whose "parent option" plan was incorporated in part into the Sibley committee majority report.

The Atlanta Constitution

And Sen. Carl Sanders of Augusta, president pro tem of the state Senate, called Arnall's idea "an excellent suggestion . . . I think it should be considered by any individual who is seeking election to the General Assembly."

### IN FULTON ELECTIONS

Thomas J. Wesley of Atlanta, head of the Metropolitan Association for Continuing Segregated Education, said the issue would be a factor in Fulton County elections.

Fri. 4-29-60

"The present incumbents were unanimous in supporting the local option point of view. It's quite possible they will have some opposition from people who feel their stand was not consonant with the majority view of the people," he declared.

But when it came to guessing what the 1961 legislature will do with the Sibley recommendations, there were few clear predictions.

### GUARDED IN STATEMENTS

Gov. Vandiver and his administration leaders were noticeably guarded in their statements.

The governor issued a statement commending the members of the Sibley committee for their service but commenting only that "I am confident that the people of Georgia and the 1961 General Assembly will accord their beliefs careful consideration."

Speaker George Smith, who was present at the Sibley panel's final meeting Thursday, said that "you can't tell until you see the membership of the newly elected legislature."

Lt. Gov. Garland Byrd was out of the state on a vacation trip.

### PROPER CONSIDERATION

House Floor Leader Frank Twitty would only say, "I feel the legislature will give proper consideration to any recommendation made by the committee."

Said Sanders: "I think the legislature in 1961 ought to give all of these reports the most careful consideration and that we ought to deal in a forthright and honest manner in what we then and there determine to be in the best interest of the state."

Long-time Rep. Jack Ray of Warren County asserted that "I can't predict what somebody who hasn't been elected yet will do."

### "NOT A BIT"

However, States Rights Council president Roy V. Harris of Augusta flatly predicted that the 1961 Assembly would be "not a bit" different on the school question than the stand-pat 1960 legislature.

Harris, who has considerable influence over the legislature, said that he was "opposed to race-mixing in the public schools by any plan whatsoever."

The vote on the Sibley Committee, however, indicated that any changes in existing laws would have tough sledding in the legislature.

### SIX WITH MAJORITY

Of the eight legislative members of the Sibley group, six voted with the majority and only two with the minority.

DeKalb School Supt. Jim Cherry said, "The Sibley Committee will make possible a continuation of free public education in a manner which will respect the principle of local control and parents' choice.

"I hope the General Assembly will take action before it is necessary to close the first Georgia school," Cherry added.

But Mackay was pessimistic about the chances of the recommendations without "positive executive leadership."

"has done a real job of public opinion yet to be interrupted. Mayor Hartsfield said: "I hope this report will result in uninterrupted

Mackay said the committee's report is the finest contribution toward developing public opinion on the Sibley report came from persons already well identi-

The only strong positive com-

the people of Georgia will follow the outstanding leadership shown by the commission and its distinguished chairman, and that the legislature will carry out the majority's recommendations."

Other comments:

James W. Dorsey, legal counsel for HOPE: "I certainly think that it is an excellent recommendation."

Atlanta's newly designated school superintendent, Dr. John Letson: " . . . the right of choice is a desirable one that should be provided in the overall structure of the state."

Atlanta Board of Education president A. C. (Pete) Latimer: "It seems to me that the Sibley Commission has done a very great service to the people of Georgia in advocating a means whereby local communities may be able to determine what they want to do with their public schools."

Executive committee of HOPE, Inc.:

"The General Assembly Study Committee on Schools has performed a public service in its majority report by pointing the way toward keeping our schools open and in clarifying the issue facing all Georgians.

"The report places the responsibility for decision squarely on the General Assembly and the people of Georgia. It shows what HOPE has been saying, that there is no way to maintain complete public school segregation under Georgia law and that the closing of one school will result in the closing of all schools.

**REQUEST TRANSFER**

"We don't see how anyone could object to a plan that permits each school district and each parent in the school district to make his own choice. The parent can by request transfer his child from an integrated school to a segregated one or if that is impractical to a private one and receive state tuition grants if the recommended amendments are approved. This is 'freedom of choice.'

"The immediate crisis brought on by the Atlanta suit is not directly solved by the report although the court is studying the report in connection with its May 9 ruling on the suit. There is no point at this time trying to second guess the court which has said the people need to know the issue and understand the alternatives. The Sibley report makes these clear."

# Judge Hooper Gives State Another Year

Judge Frank Hooper of the U.S. District Court has delayed an order to integrate qualified pupils in the Atlanta school system until September, 1961, with the specific statement he is doing so to give the Georgia Legislature a "last chance" to save the public school system, not merely of Atlanta, but of the state.

An order to admit qualified Negro children to Atlanta schools will be issued in May, 1961, and would become applicable with the opening of schools for the 1961 term.

Negro citizens, who have earned respect of all thoughtful persons by their quiet, agitation-lacking though persistent legal efforts to have the 1954 Supreme Court decision implemented, probably will be the long-term gainers from Judge Hooper's decision if the appeal is denied.

It admittedly is best that the people themselves make the decision. There can be no charge that federal authority is forcing something upon the people. The Legislature now has a fixed date. So do the people. The recent Sibley Study Commission report provided the first expression of views at the state level on the law and possible consequences. It also offered a positive program under which the state can prevent school closings.

We now know that state laws cannot prevail over federal laws. When the two conflict, federal law, as interpreted by the U.S. Supreme Court, is controlling. No state constitution has authority over the federal and any provision in a state constitution in conflict with the nation's is invalid. The Sibley commission's majority acknowledged all this.

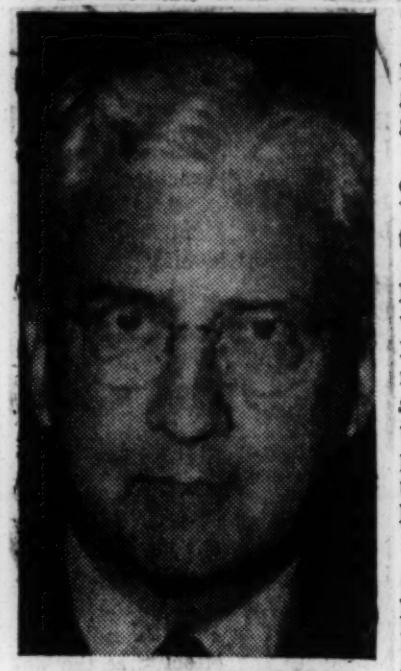
Claims of state's rights, so fanatically and persistently presented, have deceived many persons who quite understandably want to retain the status quo. It will be a tragedy if we listen to those who preach defiance with no effort to live within the framework of federal court decisions. To do so will cost us the public school system.

Judge Hooper plainly said this was a last chance. He said further the schools could be closed as much as a year with children in the streets and teachers leaving the state in droves.

Georgians now can make up their minds. Do they want their children to have full opportunities with other children? Or do they prefer to sustain prejudices and angers and let their own children pay the bill in educational handicaps which will burden them as wage earners and heads of families for the rest of their lives?

The federal court has spoken.

It will not close schools. Georgians themselves must make the decision.



JUDGE FRANK HOOPER
Grants Year's Delay

# Judge Stays Desegregation For Atlantans

ATLANTA (AP) — A federal judge Monday delayed until September 1961 the desegregation of Atlanta public schools.

In granting another year of grace, U.S. Dist. Judge Frank A. Hooper said it's the last chance this court can give."

The judge said a year ago that Atlanta must start desegregating its schools, and approved a pupil placement plan submitted by the Atlanta board of education.

But he had not previously set a date for the grade-a-year plan to start, although there had been speculation it would be this fall.

**CLOSE SCHOOLS**

Hooper said he wanted to give Georgia a chance to avoid the fate of Virginia, where "the tragic thing . . . was that the people would not give an inch until their children were out in the street."

He said, "I sometimes think that's what it will take in Georgia—to close schools to get integration."

Hooper turned down the plea of Mrs. Constance Motley of New York, counsel for the NAACP, to order immediate desegregation.

That would have given time for Negroes to apply for transfer to white schools before the May 15 deadline. School board attorneys argued that if Atlanta schools were integrated this September, the city would lose its power to levy taxes to support the schools, which under state law must be segregated.

**'EXTREMELY DIFFICULT'**

Hooper said he wanted the 1961 legislature, to be elected in November, to have a chance to enact laws providing for gradual integration.

He noted that Georgia, unlike other Southern states, had made no provision for dealing with integration when it comes. "If they are going to retreat, they had better not burn their bridges behind them," he said.

Hooper said it would be extremely difficult for the present legislature, "made up of men who almost without exception ran on a platform of no integration whatever," to water down state segregation laws.

Mrs. Motley argued that the U.S. Supreme Court "never suggested that a state legislature ought to be empowered to determine when and if a court-approved desegregation plan ought to go into effect."

Negro attorneys said they would appeal the delay.

Hooper said if the 1961 legislature, meeting in January, does not alter Georgia's rigid stand against integration, the order will go into effect next May 1, affecting the 11th and 12th grades when classes begin in September.

The judge said, "This court is not trying to contrive for the people of Georgia machinery by which they can evade the U.S. Supreme Court desegregation order.

**GRADUAL PLAN**

"I am trying to give the legislature an opportunity of passing some law or plan already approved by the courts which will permit the people of Georgia, when integration comes, the choice of operating under a gradual plan rather than throwing the system into chaos."

Replying to Mrs. Motley's demand for immediate desegregation, Hooper asked:

"Is it your intention that the Atlanta schools should be closed?"

# Hooper Silences Citizen Demanding To Voice Opinion

A white man who demanded to be heard during the school desegregation hearing in federal court Monday was politely, but very firmly, instructed to take his seat by the presiding judge.

The man was sitting quietly as a spectator at the tense proceedings, but when Judge Frank A. Hooper asked if anyone else had any statements to make, the man arose and cried, "Judge, may I say something?"

The court baliff quickly arose to his feet and looked at the judge for possible instructions. The judge looked at the man and asked him to take his seat.

The man identified himself as L. M. Atkins, and the judge immediately recognized the man as the person who had called him by phone earlier regarding the desegregation of Atlanta schools.

Atkins approached the bench and demanded a right to speak his mind, and said that he had a "constitutional right" to make his views known.

Judge Hooper explained that only the participants in the desegregation suit would be allowed to speak in court. Hooper added, however, that he would gladly listen to Atkins in the privacy of the judge's chambers.

With just one other mention of his "constitutional right" to speak out, Atkins sat down. He then walked out into the hall where several newsmen gathered around to interview him.

The entire disruptive outbreak lasted less than five minues and the judge promptly continued with hi opinion that, in the end, delayed the desegregation of Atlanta public schools until 1961.

14d(1) 1960



# Gov. Vandiver Offers Splendid Program But Schools' Future Remains in Doubt

The Atlanta Constitution
Atlanta, Ga.

Gov. Vandiver's address to the General Assembly yesterday marking the beginning of the second year of his administration not only was an optimistic report on the state-of-the-state but outlined one of the most constructive programs for the future in recent Georgia history.

Gen. 1-17-19-60

After a year in which efforts to put the state's housekeeping in order and to bring about efficiency, honesty and economy in government operations were successful, the administration now looks to the future.

P.4. 1-19-60

Improved tax collections, savings in purchasing and other over-all economies have resulted in a balanced budget and an additional 36 million dollars for use in financing needed state services. The governor pointed out that in traceable economies and in purchasing the state has saved $10,600,000 in one year. Revenue collections are up in the calendar year by more than 25 million.

In spite of the austerity program, the governor was able to point to considerable progress in many fields.

This is indeed a fine record of achievement and is welcome news to the taxpayers. Much has been done and is being done to restore confidence in state government operations.

* * *

But now the governor looks to the future. On the basis of intensive legislative studies in a number of areas, the governor's recommendations for legislation provide a solid basis for expanded services and administrative improvements. These run from a comprehensive reorganization program to massive improvements in basic services costing millions of dollars. Also included are additional millions in capital improvements for schools, roads, mental and penal institutions, etc.

Proposed new spending, to be financed through revenue certificates and from increased revenue, call for an outlay of approximately 42 million dollars in the coming fiscal year. The long-range program of improvements, including a 60-million-dollar school construction outlay, a vast new building program at Milledgeville State Hospital and similar construction of prisons, ports and for units of the University System would be phased out in the future.

Total new spending proposed adds up to 134 million dollars.

All of this the governor says can be done without an increase in taxes through prudent use of funds and better collections. He supports an income tax withholding plan, investment of the state's idle funds and a compromise on the gasoline tax allocation amendment as ways to further improve fiscal operations. These may arouse some controversy but are certainly warranted in light of facts.

* * *

Certainly there can be no reasonable objection to his statement that existing impediments to state aid to cities and towns are unrealistic.

In line with his repeated assertions that the Legislature's prerogatives over state spending should be restored, Gov. Vandiver recommends a new appropriations bill at least every two years. Should the gasoline tax amendment be changed, it will be possible to have such a bill in 1961 for the first time since 1955.

Surely raises for school teachers of at least $200 a year are justified as are proposed increases for maintenance-and-operation funds. This should provide incentive for local communities to do a better job in local support.

Additional buildings proposed for the University System to cost 12 million dollars and the seven million in self-liquidating dormitory projects would relieve some of the pressing expansion needs of this system.

The program outlined for Milledgeville State Hospital is even more hopeful than had been anticipated. There is no area of public responsibility which has been more neglected than mental health. If the governor's proposals are adopted—and certainly they will be—the state will be on the way to one of the best programs for care and treatment of the mentally ill of any in the nation.

* * *

There are many other recommendations in the governor's message which are worthy and which will get proper attention from the Legislature and the people. Certainly if they can be financed within existing revenue structures, they deserve full consideration. There is no argument about the need but attention should be given long-range costs.

On the school situation, the governor offered no hope that the status-quo on segregation laws will be disturbed. This leaves the school problem at a standstill. In view of recent decisions, there are few indeed who can see anything other than the "head-on collision between federal and state sovereignty."

Nobody wants the schools closed. Nobody wants the state to be torn as was Little Rock and more recently Virginia. How and whether it can be avoided will be decided in the months ahead. Certainly the governor's program does not call for ending public education.

However it is accomplished, a way must be found for preserving the schools.

If this agonizing problem of public education can be solved satisfactorily, the horizons of Georgia's future are bright indeed and the governor's program is not beyond the state's will and means.

# Vandiver Hits Moves By NAACP

The Atlanta Constitution
Atlanta, Ga.

Gov. Vandiver lashed into the NAACP again Friday, calling the group's integration move in Marietta and Cobb County "another signpost along the road of conspiracy to destroy our schools."

Dah 1-9-60

The governor referred to requests by the NAACP that the two school systems submit plans for desegregation.

P.5

At his news conference Friday, the governor said he has received between 400 and 500 form letters from several points over Georgia urging that he preserve public school segregation. Lt. Gov. Garland Byrd and Atty. Gen. Eugene Cook said earlier they have received stacks of such letters.

**SIMILARLY WORDED**

Asked if he thinks all the letters are from a single person or group, Vandiver commented that all of them "do read similarly."

Asked what he thought about the epistles, his only comment was:

"I would say the people are concerned."

The governor declined to comment at all on an announcement by a Ku Klux Klan outfit that it plans to start a private school in Atlanta.

**NO IKE COMMENT**

He also had nothing to say about President Eisenhower's State-of-the-Union address to Congress Thursday.

Vandiver said he had been up until 3:30 a.m. Friday working on his own address—the State-of-the-State message to the General Assembly, scheduled for delivery Monday—and had not had time to listen to or read the President's message.

The governor has kept the specific contents of his Monday address a closely guarded secret. It is generally believed, however, that it will deal mainly with reorganization and fiscal matters and with the school crisis.

# GEORGIA CAUTIONS N.A.A.C.P. LEADERS

The New York Times

## Governor to Use All Legal Means to Bar Integration —Legislators Back Him

New York

By CLAUDE SITTON
Special to The New York Times.

ATLANTA, Jan. 11—Gov. S Ernest Vandiver made it clear today that he would do nothing to enable Atlanta schools to comply with a Federal court desegregation order.

Sat 1-12-60

While he proposed a $60,000,000 construction program for the public schools, he reiterated a pledge to cut off state funds to any school that admitted students on a nonracial basis.

P.1 1-12-60

Addressing the opening session of the Legislature, he pointed out that Georgia's laws and Constitution required him to take such action.

This part of the speech was viewed as the Administraotion's reply to the suggestion of Fed-

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 179

eral District Court Judge Frank A. Hooper that the Legislature might wish to consider repealing these laws to avoid school closings.

**'Head-on Collision' Feared**

The Governor called on Negroes to drop their legal efforts to obtain admission to white schools here. Refusal to do so, he declared, will lead to a "head-on collision between Federal and state sovereignty." Then he

"Let us hope that the N. A. A. C. P. will not force the closing of a single school in Georgia.

"But if they do persist, mark this and mark it well:

"We are going to resist and we are going to resist again and again. We will exhaust every legal means and remedy available to us. And when I say every legal means and remedy I mean every legal means and remedy."

These remarks regarding the National Association for the Advancement of Colored People brought a storm of applause, interspersed with rebel yells, from the legislators. Many persons in the gallery joined in.

Lawmakers' comments were overwhelmingly favorable, although the Fulton (Atlanta) County delegation expressed grave concern. This reception ticularly in rural areas, for the Vandiver policy.

However, it was noted that Mr. Vandiver had not requested any new anti-integration legislation and laid stress on "legal means and remedies."

The Atlanta Board of Education submitted a desegregation plan to the Federal District Court here last month contingent on the enactment of enabling legislation.

The contingency feature was suggested by Judge Hooper. He explained that he wanted to give Georgians, through their legislature, the choice of accepting token desegregation or facing the closing of their schools.

**No Deadline Set**

While Judge Hooper has set no deadline for the start of desegregation, many expect that it will be next September.

In his proposal to the Legislature, Mr. Vandiver called for expanded state services that would cost $134,000,000. They would include expenditures for new schools, hospitals, docks, prisons and higher pay for teachers.

No tax increase was asked. Most of the program would be financed through the issuance of revenue certificates. Some of the needed funds, the Governor said, would come from the $7,000,000 saved though economy in Government in 1959, $25,600,000 accruing from more stringent enforcement of tax laws and $3,600,000 from new purchasing practices.

Mr. Vandiver said the state would be able to keep the budget balanced in 1960 as it had in 1959.

# Governor Says School Mixing Out In Georgia

By JIM THOMASSON

ATLANTA (AP) — Gov. Ernest Vandiver today proposed a 68-million-dollar public school building program and a pay raise for teachers, but told the Georgia Legislature he is still determined to close schools if necessary to prevent integration.

In his combined State of the State and budget message, prepared for delivery to the opening session of the General Assembly, the governor proposed to increase state spending about 40 millions a year without increasing taxes.

A substantial part of the increase would be devoted to financing a 100 million authority type construction program of schools, hospitals and prisons.

Most of the hour-long address, carried over a state radio and television network, was devoted to a discussion of accomplishments during Vandiver's first year in office and to his legislative and budgetary proposals.

The governor did not ask for any new segregation legislation—the first time in years that no such administration measures will be offered.

**DECLARES RESISTANCE**

But Vandiver declared sternly, "We will resist . . . we will exhaust every legal means and remedy available to us."

He took indirect notice of the Atlanta school situation, where an integration order was delayed only to allow the Legislature to consider the matter.

"During recent weeks," he said, "events have moved us closer and closer to the threat of open conflict between federal authority and state authority over operation of Georgia's public schools."

The governor declared such conflict could be avoided by both races "working in harmony voluntarily under our traditional pattern of segregation for concrete advancement of those programs which I have outlined to you tc

**SPEAKS TO BOTH RACES**

He urged responsible people of both races, through unified public opinion to make certain "Georgia will not become the victim of conditions like those . . . in Washington, Detroit, New York and Chicago, that even now are plagued by racial tension, conflict, hatred, bitterness and violence."

Vandiver promised he and the Legislature will do everything possible to permit continued education in segregated schools, and said he would keep the lawmakers in continuous session if necessary.

**TALKS OF NAACP**

But he noted the Georgia Constitution and laws cut off state funds of an integrated school. "Let us hope," the governor said, "that the NAACP will not force the closing of a single school in Georgia."

However, he added, "it is my duty to—and I will—uphold the constitution and laws of Georgia."

The largest increase in Vandiver's budget recommendations, 19 million dollars, would go to public schools. The figure will include $6,500,000 for the $200 annual salary increase for teachers effective July 1 and $5,500,000 to amortize the building program, and $1,560,000 to increase maintenance and operation grants to local school systems.

## Pulse of the Public

# Governor's Integ[illegible] Hailed by Minister Who Points Out 'Futility' of School Stand

Fayetteville—When I listened to the governor's State-of-the-State message, I listened with mixed emotions. Even though it has become quite unthinkable in our present political age, it actually seems that we now have a forthright, sincere and courageous man in the governor's office of our state. This is a fact which, being true, calls upon every Georgian to pause and give thanks for it is a fact seldom found among politicians in the 20th century.

But while we pause, we must pause for another reason. We must pause for a stock-taking, a revaluation of this man and his attitudes and of ourselves. For while it is true that there have been relatively few politicians who have been forthright, sincere and courageous, there have been none who have been perfect.

The flaw in the governor's thinking seems to come where it is applied to the ever vexing problem of racial tension as it relates to the present school question in our state.

The attitude which is the attitude of our governor on this matter, namely, "We will fight and fight again," is the attitude which invoked the infection in the first place. This attitude has been the cause of all failures in race relations throughout the world. We have seen enough fighting. We long since should have grasped its futility. It is past time to "turn the other cheek."

REV. BILL WILLIS.

all legislators can't see and understand what he is trying to say is a mystery to me.

Like Rep. Smith, I am not an integrationist and would be in favor of any plan to keep the schools segregated except closing them.

I think it is about time we Georgians face up to the situation and try to make the best of things as they are before they get worse.

UNIVERSITY OF GEORGIA FRESHMAN.

# Georgia Solons Still Undecided On School Issue

ATLANTA (AP) — The Georgia Legislature began the second week of the current session today still undecided on the state's growing school segregation crisis.

Sen Carl Sanders of Augusta suggested over the weekend a thorough committee study of the situation might be more appropriate than a straw vote on the question of closed versus integrated classrooms.

The referendum idea was advanced recently by Rep. Culver Kidd of Baldwin County.

Sanders, who is president pro tem of the Senate, said he didn't think a referendum on whether to close schools or permit some integration would have much merit.

Some observers feel Gov. Ernest Vandiver's administration might favor creation of a special study commission, however.

The administration is strongly committed to segregated schools at all costs, and might be able to use the commission to show good faith to the federal courts and at the same time gain additional time for an attempt to strengthen it's segregation defenses.

The Senate was expected to be ready to vote on an administration bill to provide for a streamlining of policies governing insurance of state property. The bill also permits the state to write its own insurance.

One proposal favored by the administration which may cause some controversy is a bill to permit the use of unmarked State Patrol cars on Georgia highways. The bill, along with several highway safety proposals, is expected to be introduced in the House this week.

House Speaker George Smith predicted there will be only 25 or 30 votes against the proposed state income tax withholding bill, one of the administration's major measures.

But Rep. George Busbee of Dougherty County, an opponent of the income tax bill, said he had been informed various amendments might be offered.

Other administration bills slated for House or Senate action include measures removing the interest ceiling on bonds of state authorities, and authorizing investment of idle state funds in bank time deposits.

Several new proposals are expected to be introduced during the next few days. One such bill, recommended by the Governor's Commission on Economy and Reorganization, would set up uniform regulations on the number of hours a week state employes work.

14d(1), 1960 GEORGIA

Opinion Quest in Dixie

# Negroes In Balcony, Called By First Names At Hearings

**EDITOR'S NOTE: This is the first of a series of articles on the School Study Commission. The series will focus attention on certain "little" things that should be of interest to the readers of this paper; aspects we feel important enough to be reported and interpreted, especially in their relation to our readers.**

By PAUL DELANEY

The Sibley School Study Commission completed its second in a series of 10 hearings Monday in the small community of Washington, Ga., called the Grave of the Confederacy, where the southern rebellion ended. The tiny courthouse in Wilkes County was the scene of the drama in its second act.

White spectators started filing into the courthouse at about 9 a. m., an hour before starting time. By 9:30 all seats for whites were taken and many stood along the walls and occupied seats in the aisles. Still others were seated downstairs and listened over a public address system.

When Chairman John A. Sibley of Atlanta pounded the gavel at 10:01 calling the session to order, there were still seats to be had in the balcony, designated for Negro seating. At 10:15 all available seats in the courtroom were taken.

A well-known figure, Roy Harris, made his appearance and did his table-hopping and hand-shaking; he made his speech later when he took the stand.

**ATTACKS RULING**

Sibley opened the hearings with the same commission statement made at the initial hearings in Americus March 3, with a few elaborations. He attacked the May 1954 Supreme Court ruling saying "Although that decision is devoid of legal reasoning and sociological validity, and sets in motion racial tensions, hatred, and violence, it is binding upon the lower federal courts and will be enforced by them, notwithstanding the evil effect that such enforcement will engender. That is certain."

He said that "Our Georgia laws, in force for nearly a century, are being voided; our schools are being taken over by federal courts; the right of local self government, and the right of our people, both colored and white to educate their own children in their own schools is being denied; and public education is being threatened."

He continued, "our local Negroes" should not be held responsible for tensions and ill feelings. "They are the innocent victims of false leaders, some misguided, some influenced by sinister motives, and many pursuing subversive purposes."

**MORE FEELINGS**

Sibley's control of the hearings were very well; he even handled Roy Harris and others who would have injected many irrevelancies. He urged Negroes to speak what they feel, without any fear.

However, some Negroes felt that as a banker he should have known there was something to fear; as head of the committee he should have noticed fear, and as a white man he should have known they would not get up there in the first place without some kind of coersion.

Negroes were the only teachers appearing before the commission. While most white teachers and principals were in their classrooms Negroes were facing Sibley, who asked if they had been pressured.

**FIRST NAMES USED**

Sibley's handling of courtesy to Negroes was nil. White persons being announced as the next to speak by commission secretary Sen. John Greer, were addressed as Mr. and Mrs. Only Negro clergymen received the courtesy of a title.

One Negro teacher, Mrs. Ann Daniels, apparently asked for none and got none for when Sibley asked her name she stated "Ann Daniels." He then asked her if she was married, indicating to her that she should have used Mrs. Daniels, in one instance, called a Negro "mister" but when he saw it was a colored citizen, he shook his head to show that he had made a mistake.

Negroes in the balcony were visibly displeased with Sibleys method of questioning. He would ask white persons if they preferred the present closing laws or would like a chance to vote on the matter. He asked Negroes if they were for segregation or integration, a very unfair question.

However, the Rev. Robert A. Lark of Augusta, requested that Sibley ask him the same questions that he was asking whites.

One white farmer dressed in black and carrying a Bible intended to support his staunch segregation stand with the scripture but was rebuked by Sibley. He was permitted only to give the passages and not to read them.

The first Negro to testify was T. A. McClendon, a mortician and president of the Negro Voters League of Washington. He handled himself well in the face of "Do you want segregation or integration?" "Which, in your opinion, is best for your race?"

**FOR COURT RULING**

He said, "I believe in abiding by the court's ruling." When pressed if he would like to "mix" the races, he said, "If I was invited to the richest white man's home and the poorest colored man's home, I'd rather eat at the colored man's home. I don't want to go anywhere I'm not invited."

He said that he believes in upholding the la and that "we should go back to prayer." McClendon could not be pinned down on whether he wanted segregated or integrated schools. When asked.

Segregationists were hit at the off-set of the hearings, as the second person speaking, Mrs. R. M. Darby, president of the Washington Women's Club, said her group wanted to vote again on the issue. She followed the mayor of Washington who was 100 per cent for segregation.

The morning part of the session was dominated by citizens desiring the opportunity to vote again on a measure to keep the schools open. In the evening, on the other hand, there seemed to be greater support for segregation.

Many whites urged the abolition of the schools and the use of a private school system. They said they would assume the responsibility for educating their children.

Most of those advocating abolition were mayors, lawyers, businessmen and evidently very successful farmers who were engaged in more than farming, like Lee Carter, mayor of Hartwell, Booth Williams, Monroe mayor and businessman, Andrew Hill, Jr., Livonia lawyer, and Dr. Frank Gibson, Thomason physician.

It is expected that a businessman, lawyer, mayor or doctor could well afford to send his children to private schools, but the poor people of the 10th district would find it difficult.

# Study Unit Lays Out Itinerary

By BRUCE GALPHIN

The Committee on Schools Friday set itself a grueling 22-day, 10-city itinerary for sounding out public opinion on the school-closing crisis.

Chairman John Sibley asked for and received endorsement of a plan for conducting public hearings which will cut long-winded speeches to a minimum.

*Text of Sibley's remarks on Page 6.*

Instead, Sibley said, the committee will ask citizens specific questions to gauge sentiment on the school issue.

**PRIORITY TO GROUPS**

Representatives of organized groups will receive priority, the chairman indicated. "Other members of the public will be heard within the time available.

"The committee will not have time to hear speeches," he concluded.

The first hearing will be held March 3 in Americus. Between now and then, the committee will settle on the exact questions to be put to the public.

Sibley reminded the committee that its duty as set forth by the General Assembly is to measure public sentiment, and if the public wants changes in present laws, to up proposed new laws.

**SIBLEY'S VIEW**

As for himself, the chairman declared that he did not believe "anyone is in as good a position to develop the schools of another race as well as the people of that race themselves."

The right to run one's own schools, once lost, "will never be regained," he added.

But he said it is the public's views, not his or the committee's, which the committee must seek.

"We are not asking the people to pass on any finality," Sibley declared, but "whether or not they want to stand where they are or whether they want to take another road."

In an apparent reference to local option-type laws, Sibley declared that "the operation of certain types of laws in the cities may be different than in the country.

"That difference is being reflected in the minds of a number of people that's bringing about division of thought."

But in the long run, he said, "what is good for one part of the state is good for the whole state."

If the committee suggests new laws, he continued it must be "with a view to trying to mold whatever we may recommend in a way that gives consideration to all the problems involving all the people, to try to unite the people instead of dividing them."

This is the schedule of hearings tentatively agreed upon:

Americus, March 3; Washington, March 7; Cartersville, March 10; LaGrange, March 11; Douglas, March 14; Sandersville, March 16; Sylvania, March 17; Moultrie, March 21; Atlanta, March 23; Gainesville, March 24.

Hearings will start at 10 a.m. and will be held, when possible, at the county courthouses.

Further subcommittee hearings in various cities within the congressional districts will be held later.

# Desegregation Delay Will Be Appealed Today

Atlanta Daily World
Atlanta, Ga.
Thurs, 3-10-60.

## Judge Hooper Plans To Wait On Sibley Hearings Report

**U.S. District Judge Frank A. Hooper refused a school desegregation speedup here Wednesday, but attorneys for plaintiffs quickly filed notice they will appeal an order setting a May 9 hearing to decide whether the Atlanta Board of Education plan will go into effect this fall or in 1961.**

Hooper in refusing a request for desegregation this year, set the May 9 hearing in order to get a report from the Sibley School Study Commission.

The notice of appeal was signed by E. E. Moore, of Atlanta, and Mrs. Constance Baker Motley and Thurgood Marshall, both of New York. All three have served as legal counsel in the court battle.

Plaintiffs had complained that the General Assembly did nothing to carry out the wishes of the court's decision outlawing school segregation, and asks Negroes more pointed questions than whites.

Hooper indicated he may hand down an order direct that an Atlanta pupil placement plan be instituted September 1, 1960, or delay the action for another year.

The U. S. District Judge, who ordered desegregation of Atlanta schools last June but set no compliance deadline, took the new action on a petition by plaintiffs that he put the Atlanta plan into use immediately on grounds the Legislature had done nothing to pave the way for compliance.

**NO SURPRISE**

In handing down his order Wednesday, Hooper at the same time gave the litigants a certificate to enable them to take his action or any other phase of the school case to the U. S. Court of Appeals.

Hooper said in his latest pronouncement that the state legislature's failure to adopt laws changing its rigid segregation position came "as no surprise to all our citizens who are familiar with campaign promises made by members of the Legislature, the general misconception in the minds of perhaps a majority of the people concerning the real question at issue and concerning the gravity of the decision which the Legislature was called on to make."

**FAVOR LOCAL OPTION**

The language of Hooper's order made it clear he assumes the study commission, created by the Legislature and headed by Atlanta banker-lawyer John A. Sibley, is doing its work "in good faith."

The wording also was interpreted by some observers as leaning toward endorsement of some local option means of handling the school situation.

The jurist took "judicial cognizance" of the fact the Sibley Commission is also conducting public hearings in the 10 congressional districts.

**BETTER UNDERSTANDING**

These hearings, Hooper said, are conducive to a better understanding of the issues involved and will "better enable the citizens to determine whether in the last analysis they would prefer to let the various local school authorities and the local citizens decide the future of Georgia schools."

The alternative to this method, he said, would be for the people to give their Legislature the authority to stick with the position that elimination of discrimination will not be permitted in any school whatsoever, even though such disposition might eventuate in the closing of all schools."

**"DAMAGE AND DISRUPTION"**

He said his court is not "utterly without hope" that Georgians will finally adopt a course that will avoid the closing of schools that might be desegregated. Hooper said school closings might "bring on a disruption and damage requiring many years to repair."

The jurist said that by holding a hearing May 9 - nine days after the deadline for the Sibley group to make its report - prospective Negro applicants for white schools next September still would have time to make applications for that term under the Atlanta plan.

The Atlanta plan sets the period from May 1 to May 15 for applications to the city school system and for transfers. Hooper apparently intends to reach a decision before then.

# Questioning Of Negro Teachers, Principals Hit

Atlanta Daily World
Atlanta, Ga.
Wed. 3-9-60.

## Stop Jeopardizing Their Positions, Sibley Urged

By PAUL DELANEY

**The Georgia Conference on Educational Opportunities (GCEO) has urged the Sibly School Study Commission to refrain from having Negro principals and teachers appear before it, jeopardizing their positions.**

The commission is sampling public opinion around the state on the school closing issue. It was appointed by the governor and will hear from citizens in the 10 Congressional Districts. It is headed by John Sibley, Atlanta banker-lawyer.

Monday's hearings in Washington, Ga., provided examples of what the GCEO protested: Negro principals and teacher appearing before the committee urging segregation and saying that they had not been pressured to attend the hearing, when in fact, they had been "requested" to appear, the group said.

"We feel that it is inded unfortunate that Negro teachers should appear before this committe composed of intelligent and practical men, and are required to answer questions as to their position in regard to the maintenance of segregation in public schools," the letter stated.

"What other position could they be expected to take than they favor the present inequitable system in the presence of their superiors, who insist upon maintaining segregation."

And to a man school officials of counties of the 10th Congressional District demanded continuation of segregation or close the schools.

The attitude of the superintendents, school board ofiifcials and mayors atending Monday's' session can be summed up in the statement of William Lofton, president of the Augusta Board of Education, who said:

"We are doing mighty well in Richmond County. Everybody is satisfied. We would prefer private schools if the schools are to be integrated."

One Negro principal was in the segregated balcony before his time came. He was shaking and very nervous and said that his superintendent told him to appear. When Sibley asked him if there had been any pressure to make him testify he quickly answered "no, sir, none at all."

One teacher was in tears because she had to testify in support of segregation against her will. Others went quietly up and answered the $64,000 question and got it over with. W. H. Ingram, a principal, got his wire crossed and said the wrong things.

"I do not favor segregation. I want the status quo."

"What do you mean, you want the status quo?"

"I mean, I do favor segregation; I want the status quo."

L. H. Stinson, elementary school principal, told the committee that segregation "is better for my race." Leonard M. Rogers, teacher, said he would like to see the schools in Hart County "remain equal, but segregated." He said they had good schools, good facilities and good transportation.

Other Negroes testifying in favor of segregation were two very elderly women who would hardly be affected by desegregation. Mrs. Georgia Banks of Hartwell stated:

"We have the best white people in the world; they are so good to us. We have a beautiful school, thanks to the good Lord and the good white folks. We prefer the schools remain unmixed. We should live by the Bible and our good Lord will take care of everything."

Mrs. Irene Zellers of Thomson, said, "I don't want them to go to school together. Us going on like us is, us going to torment - fightin' over these schools."

GCEO's letter continued, "We consider it a gross injustice to suffer these loyal public servants to such persecution as a requirement for retaining a means of livelihood. Certainly, you will agree that this is not an effective means of obtaining a true picture of the situation.

"In the light of these facts, we urgently request that the practice of principals and teachers making presentations before the study committee be immediately discontinued."

GRADE-A-YEAR PLAN APPROVED

Fla. Florida Times-Union

# September Showdown Is Seen In Atlanta School Race Case

Jacksonville, Fla. Sat. 1-2-60, p. 17.

ATLANTA, Jan. 1 (AP)—U. S. District Judge Frank Hooper's latest order in the Atlanta school case and the attitude of Gov. Ernest Vandiver and the Georgia Legislature all point to a September, 1960, showdown on public school segregation in Georgia.

The judge Wednesday approved a grade-a-year desegregation plan submitted by the Atlanta school board which, at his suggestion, had been made contingent upon the 1960 Legislature acting on Georgia laws for closing integrated schools.

Hooper cited particularly laws which would cut off state aid to Atlanta if it desegregates and said the court wanted to give the people of Georgia an opportunity through their representatives to decide whether to close schools or gradually desegregate.

That brings up a question as to what the Legislature can do.

**1945 Law Cited**

All Georgia laws on public school segregation have their foundation on a provision of the state's 1945 Constitution which states:

"The provision of an adequate education for the citizens shall be a primary obligation of the State of Georgia, the expense of which shall be provided for by taxation. Separate schools shall be provided for the white and colored races."

Hooper specifically struck down neither that nor any of the segregation laws based on it.

It seems pretty certain the present Georgia Legislature will not condone any kind of public school integration.

And one state legal authority contends that under the constitutional requirement for separate schools, the Legislature alone could not pass any valid act permitting integration.

In fact, he says about the only thing the Legislature could do would be to submit—by a two-thirds vote of both houses—a proposed amendment to repeal the separate schools requirement of the Constitution.

If such an amendment were proposed, it could not be voted on by the people until the November general election, two months after the apparent deadline set by Hooper.

The Atlanta school board plan calls for it to be submitted to the Legislature.

**Specific Bill**

Rep. Frank Twitty, Vandiver's House floor leader, pointed out that the Legislature cannot consider a plan, but only a specific bill. And a bill must be introduced over the signature of a member of the Legislature.

Twitty added, "What they can do is submit some kind of bill to us and I presume that would be a bill to abolish the segregation laws now on the statute books. I think any bill that might be submitted to the General Assembly for the purpose of repealing any of the segregation laws now in effect will have real rough sledding. I have grave doubts that any of them are going to be repealed."

Vandiver was not available for comment, but another of his leaders predicted that if the Atlanta desegregation bill should ever reach the floor of the House, it would get a maximum of 25 votes in the 205-member body.

Rep. Taylor Phillips of Bibb County expressed the opinion that only actual closing of schools is likely to change the attitude of the Legislature.

"In principle, I would like to preserve our public schools in any way feasible," Phillips said. "But I don't think anyone is going to come up with something the bulk of the Legislatuce can go along with at this time. It may take an actual closing of schools in order for people to form definite opinions and get behind the Legislature."

# Georgia Near Crossroads In School Integration

Chicago Defender

Chicago Ill.

Bur. 1-2-60

ATLANTA 7 (UPI) — Georgia is nearing its moment of decision on the matter of public school integration.

The question is will the state government stick to its "never-never" policy or will it permit the city of Atlanta to have integrated schools?

**LATEST DEVELOPMENTS**

The situation, which has developed fast in recent weeks, is this:

U.S. District Judge Frank Hooper has ordered Atlanta, with 116,000 school children, 41 per cent of whom are Negroes, to stop segregation policies for its public schools.

The Atlanta school board has submitted to Hooper a pupil placement plan that would assign students according to a number of factors but without regard to race or color.

Legislation is being prepared for introduction in January that would leave the final decision on school closings up to the parents of the school children involved.

Some members of the legislature, despite their public statements supporting strict school segregation, feel that Georgia must sooner or later face the prospect of some integration. They feel that the question is, when?

Gov. Ernest Vandiver pledged during his election campaign that there would be no school integration in Georgia while he was chief executive. Many Georgia legislators hold firmly to the same position.

The strategy of the state government is to combat all integration efforts and, if integration has to come, to put it off as long as pos

The two principal groups now trying to find a solution to the dilemma are the school board itself and a fairly small group of non-administration legislators.

The school board, which includes one Negro, turned to the Alabama pupil placement plan for the solution it offered to Hooper. The jurist has indicated he will accept it, but the legislature also would have to approve.

NEW YEAR BEGINS

Atlanta Daily World

# 1959, Year Of Legal Rulings In Atlanta

Atlanta Ga.

Jan. 1-1-60

By JOHN BRITTON

As inevitable change would demand, the year 1959 started out with destruction and ended up the same way—destruction and death of legal justifications for portions of the "Southern way of life."

In recounting the major events of 1959, the force of law was seen to take a mounting toll upon the "unwritten" laws that for years have demanded rigid restrictions on certain classes of the Atlanta and Georgia citizenry.

Starting back in January of 1959, federal courts, like lightning striking twice in the same place, pronounced a death sentence upon segregation on Atlanta buses and trolley, and less than 24 hours later, demanded an end to enforced discrimination at Georgia State College of Business Administration specifically and the University System of Georgia in general.

U. S. District Judge Frank A. Hooper told the City of Atlanta and the Atlanta Transit System that they no longer could enforce seating segregation on this city's buses. That decision was handed down after a very brief oral hearing in January.

The very next morning, less than 24 hours later, Judge Boyd Sloan, of the same court, told officials of the University System of Georgia that Negroes could no longer be denied admittance into state schools for reasons based upon race or color alone.

Implementation of the bus desegregation decision has gone along smoothly since the January decision, all reports indicate, however, Negroes still have not succeeded in gaining admission to the Georgia colleges previously designated as "white" schools.

Then in June of this year, Judge Frank A Hooper, with the advice of Judge Sloan, called for the desegregation of Atlanta public schools under a gradual plan that would be approved by the court.

Wednesday, the pupil placement plan submitted to the court for review by the defendant Atlanta Board of Education was virtually approved by Judge Hooper, providing that certain apparently objectionable features were amended or deleted.

And still pending is a desegregation suit that attacks alleged discriminatory practices at the airport restaurant at the Atlanta Municipal Airport terminal. It is likely that a decision on that matter will be issued early this year, but Judge Sloan still has the case under study at his Gainesville, Georgia home.

Switching back to January and the months immediately following, we remember that a 21-year -old father of three children was tried on charges that he criminally assaulted a Southeast Atlanta white woman at her apartment more than one year ago.

In his January trial, Melvin Lewis Smith was given hope when the all-white jury deadlocked and Judge E. E. Andrews called a mistrial. In March, another all-white, all-male jury convicted Smith without a recommendation of mercy, and Judge Andrews pronounced the death sentence against the defendant.

The story was not finished there. Aroused citizens in Atlanta responded to an obvious need and contributed more than $5,000 to a movement that eventually succeeded in getting Smith a new trial. That trial, the third, is scheduled for the 18th day of this very month.

UNPRECEDENTED

The Atlanta Journal and Constitution

Atlanta Ga. Jan. 1-17-60

# Mountain of Mail Urges Stand-Fast on Segregation

P 23-A

By CURTIS DRISKELL

The segregation-integration question, with its eventual effect on Georgia's public school system, has triggered an unprecedented avalanche of mail to the state's highest officials.

No other issue in the memories of some close to the state government has been the lever for such a flood of correspondence.

A great majority of the correspondence, say those who are receiving it, wants segregation maintained above all. ("About 99 per cent" in that direction, Gov. Ernest Vandiver estimated.)

* * *

**THE MINORITY** is appealing for open schools, saying or implying it wants the schools kept open even at the cost of some token integration, say the recipients of the mail.

Gov. Vandiver and Lt. Gov. Garland Byrd have been getting the brunt of the mail. Other letters in varying degree of intensity have poured into the offices of Atty. Gen. Eugene Cook, House Speaker George Smith and others.

As do many elected officials continually in the public eye, the governor and lieutenant governor like to answer as much of their mail as possible. But the proportion of the deluge the past 10 days or so has broken down the customary procedure.

In the first place, the letters have poured in by the thousand to dwarf the hundreds some other top issues have stimulated. Mail room workers have been hard-pressed to open and sort the mountainous stacks, let alone get them answered.

* * *

**AND SECONDLY,** a large percentage of the letters—including stacks of identically stencilled or otherwise reproduced letters outspoken for segregation—do not include the addresses of the signers.

Some of these, according to mail clerks, were delivered several hundred to a package with no identifying postmark to offer a clue to their origin. Others are postmarked from such separated points as Cherokee County and St. Marys, Ga.

These reproduced letters calling for continued segregation are of the "form letter" type, printed up by the stencil process with a space or blank line left at the bottom for the signature.

* * *

**ONE LETTER,** of which a thick stack was received in Mr. Byrd's office, began with "Dear ——" so that the signer could fill in the name of the official who was to receive it. But virtually all of those who signed at the bottom neglected to put in Mr. Byrd's name in the blank provided.

The tenor of the different letters varies.

One such letter which arrived by the hundreds at Gov. Vandiver's office is headed with the governor's name and state capitol address and goes like this:

"To the right honorable governor of the state of Georgia

"Dear Sir:

"This letter is to inform you that your public has been aroused to get interest in our Southern way of life. We have not forgotten that you promised us that there would be no Intergration (sic) in Georgia as long as you were governor. Well, we are now waiting your fulfillment of that promise.

"We will always be grateful for your courageous stand against Intergration (sic). We shall remember it at the polls with the same unity that we send this letter.

"I remain forever in your debt." (Signed.)

* * *

**OTHERS AMONG** about a dozen different forms included these phrases:

"Not one per cent of the people of Georgia want their children mixed in classrooms in our schools. . . ."

"If the few people that want to mix the races really mean to, let them open up private schools and mix them until their heart is content. I, for one, want segregation. . . ."

"The 'Good Book' teaches us that He wanted the races segregated. . . . Make a firm stand against this un-Christian-like evil called 'Token Integration.' . . ."

* * *

**THE HEAVY FLOW** of mail urging continued segregation began about 10 days ago with a batch of 110 letters from Cherokee County to the governor's office.

Then it increased Friday, Jan. 8 with about 500 in the early mail delivery to the governor's office, another 100 in the second delivery and a comparable flood to the lieutenant governor's office.

The following Monday brought 850 in the first mail and about 300 in the second mail to Gov. Vandiver's office.

A peak influx came Tuesday when some 1,800 letters arrived in the governor's office alone.

Asked about the letters at a press conference, Gov. Vandiver commented that they indicated to him that "the people are concerned." He also acknowledged that some of them were worded similarly.

Who or what organization—if either—is directly responsible for the mailing effort apparently is still not known. Gov. Vandiver and Lt. Gov. Byrd each said they didn't know, although they indicated some organized efforts seemed to be reflected.

* * *

**ANOTHER THING** to strengthen that belief is the timing of the letters, which began arriving in numbers about the time the 1960 General Assembly convened.

Among the communications urging preservation of the public schools in Georgia."

The 747 signers chipped in on the cost of sending it, said one of the 33 originators of the wire.

It was one of the longest wires ever sent through the Athens office of Western Union, the senders said.

* * *

**ANOTHER THING** to strengthen that belief is the timing of the letters, which began arriving in governor and the General Assembly can approve legislation to save our schools, we appeal to you to effect uninterrupted operation of public schools in Georgia."

It read:

"Believing in public education and knowing that closed schools would harm our young people and our state and knowing that the

# Integration Inevitable, Editor Says

CANTON (AP)—A Macon newspaper editor said Tuesday the issue as far as Georgia schools are concerned is not segregation versus integration, but integration versus illiteracy.

Joe Parham, editor of the Macon News and Sunday Telegraph, told the Canton Rotary Club the record in other Southern states shows that to keep the schools open the South must face some degree of integration.

He predicted that some Negro pupils will ask to be transferred to white schools in Georgia this May and that by September there will be either some integration or the schools will close.

Parham suggested Negroes were not seeking complete integration of all schools but were trying to "get a foot in the door socially."

He also suggested Southerners might be foolish to attempt to buck the U.S. government and the U.S. Supreme Court and at the same time risk destruction of the schools.

**County Unit System Hit**

# NORTHEAST GEORGIANS FAVOR LOCAL OPTIONS

## *Negroes Asked Different Questions About Choice*

By Paul Delaney

WASHINGTON, Ga. (SNS) — Negro and white citizens of Clarke and Richmond counties, as well as other counties of northeast Georgia, paraded before the School Study Commission Monday, with a majority asking for a chance to vote on keeping the state's public schools open rather than closing them in the face of desegregation.

The commission, headed by John A. Sibley, Atlanta lawyer-banker, heard the testimony of 100 persons representing thousands of others in the 10th Congressional District. This was the second of 10 scheduled hearings.

Ministers, businessmen, civic leaders, housewives and students from the University of Georgia bombarded the committee with petitions asking the legislature do everything to keep the schools open.

William H. Wilburn, a retired postman and insuranceman from Augusta, declared, "I am opposed to segregation! I am opposed to segregation not only in name, but I am opposed to what it begets."

Rev. Robert A. Lark, president of the Augusta Interdenominational Ministers Alliance, stated that he believes in the constitution of the United States and the edicts of the courts.

"I was born and raised in Georgia. I was taught to uphold the laws. I have always done so. I uphold both the laws of God and the laws of man."

**FOR SAME QUESTIONS**

Rev. Lark asked Chairman Sibley to phrase the questions to him in the same manner as to all others who appeared. Sibley, consciously or unconsciously, asked white persons if they favor closing the schools or voting on an alternate route. He asked Negroes point-blank if they were for segregation or integration.

Grumbles from the Negro section in the balcony of Wilkes County Courthouse could be heard until Lark demanded the qualification.

Wilburn followed fellow Augustan, Roy Harris, to the stand. Harris had vehemently supported segregation and said he spoke for many Negroes in Richmond County and that "even some Nigras in Augusta like me." When Sibley attempted to restrain Wilburn's emphatic speech, Wilburn said:

"My friend Roy Harris spoke, so I should be given a chance, too." Sibley gave him a chance, a chance that apparently surprised Harris and others from Augusta.

Wilburn said that "a one-leg man has to buy two shoes when he buys a pair, and when wears one out he still has one new one left. The white man has worn out the separate and he ain't even started on the equal!"

The hearings were full of emotion as many people could not help but applaud some sentiment they shared, against orders from Sibley. They applauded Wilburn. They applauded the little white woman who meekly took the stand and said she was only a housewife, but:

"I would rather have the opportunity to vote on another law to keep the schools open - under popular vote, not under the cou unit system."

They applauded the white c

copal minister, Ft. William A. of Elberton when he presente resolution from the Elberton - bert Ministerial Assn., opposing closing of the schools and urg the people be given a chance vote.

They applauded Sam Chambe an Athens businessman who s he represented an industrial ma agement organization, when he s the group favors a pupil placeme plan.

Others joined the long line Georgia citizens urging the scho be kept open, regardless of deseg gation. Some were:

Mrs. Henry H. Parsons, of Georgia Congress of Parent-Tea ers, Inc.; Mrs. Bothwell Tray Athens, Georgians for Public E cation; Miss Jane Malcom, Wal County, a sophomore at Geor who presented a petition signed 838 schoolmates (she promised m signatures); Rev. E. A. Padgett, berton-Elbert Ministerial Allian

**NEGRO TEACHERS**

Negro school teachers and pr cipals were again put on the s and testified in favor of segreg ion. Noticeably, there were no wh teachers speaking at the hearin only white school administrative ficials. One Negro said in the b cony that his superintendent t him to speak but on the stand denied he was pressured.

John P. Blanchard, Columb County superintendent, said th race relations in his county were very good and that the Negroes are satisfied with segregation.

Mrs. Ann Daniels, Jeanes supervisor of this county, backed him up with a resolution from the principals and PTA members of Columbia County praising their schools, equipment, transportation and declaring they are for segregation, "separate but equal schools." It is reported that there is not a Negro gymnasium to be found in Columbia County.

L. H. Hardy, Jr., a Negro principal of Franklin County, nervously told the commission that he wouldn't want the schools closed because he is a teacher and has to make a living.

SIBLEY: "Would you prefer segregated schools or would you want them mixed with white people?"

HARDY: " I would prefer segregation."

The schedule for the rest of the hearings are:

March 10, Cartersville; 11, LaGrange; 14 Douglas; 16, Sandersville; 17, Sylvania; 21, Moultire, 23, ATLANTA, and 24, Gainesville.

# Georgia Whites, Negroes Ask Stayed Segregation

AMERICUS, Ga. (AP) — South Georgians, white and Negro, testified by the dozens Thursday that they want continued segregation of their schools.

Only one witness, a Negro minister, told the Georgia School Study Committee that he favored integrated schools.

Two white persons said they thought the people should get a chance to express their opinion by secret ballot. But most of 50 or more witnesses demanded continued separate schools even if they must give up their public education system.

The committee was set up by the 1960 legislature to ask the opinions of citizens all over the state how to meet threatened school integration. Atlanta schools were ordered to integrate by a Federal court. The court order set no definite date but gave the legislature time to resolve the conflict between state segregation laws and the 1954 U.S. Supreme Court ruling on school segregation.

More than 700 persons from all

# NAACP Calls on Court To Start Integration of Schools Here by May 1

The Atlanta Constitution
Atlanta, Ga. Sat 2-27-60

## Plea Cites Inaction of Legislature

By JACK KAPLAN

Negro attorneys Friday asked the U.S. District Court here to put the Atlanta Board of Education's school desegregation plan into effect May 1.

Attorneys for the NAACP, in a petition filed with Judge Frank A. Hooper, asked that the pupil placement plan be put into effect on May 1 because the Georgia General Assembly had failed to take action to implement it in the session just ended.

The motion also contended that the plan doesn't have to be made contingent upon the enactment of laws by the state legislature for three reasons.

CITES 3 REASONS

1. No state law, by its terms, prohibits the defendants from putting their plan, as approved by the federal court, into effect.

2. If the state should cut off funds from schools integrated under the plan, the school board would have recourse through federal courts.

3. The ruling by the Supreme Court is the law of the land and rights guaranteed thereby cannot be made contingent upon approval by the Georgia legislature.

NO COPY YET

None of the defense attorneys had been served with a copy of the petition Friday afternoon.

However, City Attorney J. C. Savage vowed to "resist every step of the way as hard as we can." But he said no detailed steps can be planned until all three defense attorneys can get together and study the petition.

The other two defense lawyers are B. D. (Buck) Murphy, who said he could not comment on the petition until he saw a copy of it, and Newell Edenfield, who was not in the city Friday.

Atlanta Board of Education Chairman A. C. (Pete) Latimer was also out of town.

Judge Hooper ordered that copies of the motion be sent to attorneys for the Atlanta School Board who will have 10 days to file a response.

The motion was filed after the attorneys, Mrs. Constance Baker Motley, assistant chief counsel, NAACP, New York City; E. E. Moore Jr. and A. T. Walden had a 40-minute conference with Judge Hooper in his chambers.

Mrs. Motley asserted that the recently appointed study commission would not bring in a report favorable to the Negro plaintiffs. (This report is due to be made May 1.)

"The study commission? I don't think they are going to do anything but study sampled opinion. That is all they have the authority to do," Mrs. Motley said.

"Even if they do come in with a favorable report, I don't think the Georgia legislature would pass any laws to favor integration. It is unrealistic to think they will do anything after all these years. It seems that the people elected them not to do anything."

The motion was filed in U.S. District Court under a part of Judge Hooper's July 9, 1959, order in which he retained jurisdiction of the case "for the purpose of entering such further orders or granting such further relief as may be necessary" to bring about compliance with the decree.

The July order called upon the Atlanta Board of Education to submit a desegregation plan by Dec. 1, 1959. On Nov. 30, the plan was submitted by the board and Judge Hooper approved it, but made it contingent upon the Legislature's actions.

The plaintiffs filed objections to the plan on grounds that it could not be made contingent upon the General Assembly of Georgia.

On Jan. 20, Judge Hooper approved the defendants' pupil placement plan as finally amended. One of the amendments called for applications for the admission or transfer of schools to be sent to the superintendent of schools between May 1 and May 15, hence the May 1 date for action asked in the motion.

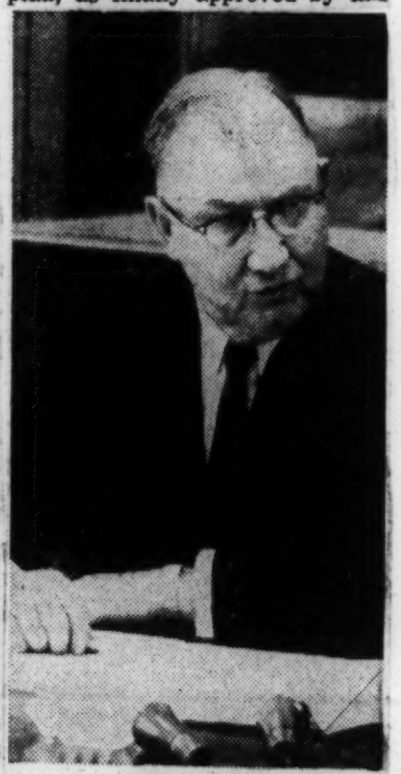
According to the motion, "the Georgia General Assembly convened in a regular session on January 11, 1960, and adjourned February 19, 1960, without enacting any statutes which would permit the defendants' plan to go into operation and without repealing any of the Georgia laws which provide for the withholding of state funds or the closing of schools in which the races are mixed. Plaintiffs allege on information and believe that the only action taken by the General Assembly of Georgia was the establishment of a study commission to study the matter and to report to the Legislature by May 1, 1960.

"Plaintiffs say that defendants' plan, as finally approved by this court, cannot be made contingent upon the enactment of laws by the General Assembly of Georgia for the following reasons:

"1. No law of the State of Georgia, by its terms, prohibits the defendants from putting their plan, as approved by this court, into effect.

"2. If the laws authorizing the withholding of state funds from defendants and the closing of any school in which the races are mixed by defendants are invoked against defendants, then defendants have ample, tested remedies available to them.

"3. The Constitution of the United States as construed by the Supreme Court of the United States is the supreme law of the land and the rights guaranteed thereby cannot be made contingent upon approval by the General Assembly of Georgia."



Staff Photo—Bill Wilson

URGES BREVITY
*Chairman John Sibley*

over the 24-county 3rd congressional District jammed a court room and flowed into corridors, where the proceedings were carried by loud speaker. John A. Sibley, Atlanta banker, is conducting the hearings.

The Rev. W. R. Walters of Columbus, first of eight Negro witnesses, said "yes sir" when Sibley asked if he favored integrating the schools.

Most other Negroes favored continued segregation, but qualified their answers by asking for better school facilities.

Joseph Baldwin Sr., of Americus, superintendent of Sumter County's Negro school, said "we are asking continuance of the good will and present friendship between our races. We are happy."

Most white persons made it clear they wanted continued segregation all over the state at all costs.

"If we lose the fight in Atlanta, we've lost it all over Georgia," said Dr. C. P. Savage, physician and mayor of Montezuma.

Witnesses, including farmers, ministers, school officials and businessmen, gave little attention to a local option idea. This plan would permit each of the state's 159 counties to decide the fate of its own schools.

## Talmadge Not Ready To Quit School Fight

Chicago Defender
Sat 2-20-60

ATLANTA — (UPI) — Senator Herman Talmadge said Monday night that if the people of Georgia want to change their school laws it's up to them, but he still feels the vast majority want segregation barriers just as they are.

Talmadge told a television news panel he personally is "Not ready to throw in the towel" despite mounting desegregation pressure in the state.

"The people of Georgia are their own government" the Democrat said. "They are the court of last resort."

He declined to give advice to his state where a federal desegregation order has been issued for Atlanta schools.

Frontiers Ask School Board To

# Name New School For C. L. Harper

Atlanta Daily World, Atlanta, Ga. Thurs. 6/9/60 P. 1

The Atlanta Chapter, Frontiers of America, Inc., has asked the Board of Education to name the proposed high school for Negroes the Charles L. Harper High School in honor of the late educator and civic leader. The request was made through a resolution adopted unanimously by the group. It resolved:

"That we the members of the Frontiers of America (Atlanta Chapter) request the Atlanta Board of Education to name the proposed westside high school for Negroes the Charles L. Harper High School."

Harper was the first principal of Morris Brown High School Department, first principal of Yonge Street Night School and first principal of Booker T. Washington, where he served for 18 years. For 13 years he was executive secretary of the Georgia Teachers and Education Assn.

He was a leader in Christian education and served as superintendent of Big Bethel AME Sunday School and president of the Allen Christian Endeavor League. He led the movement in Atlanta and the state for the improvement of instruction and quality for all. The resolution stated:

"Whereas, the late Charles L. Harper served for more than 40 years as educator and civic leader in the state of Georgia, and for more than a quarter of a century he served the boys and girls of Metropolitan Atlanta, as teacher, principal and counselor and

"Whereas, there is presently no tangible memorial in the City of Atlanta, bearing his name and

"Whereas, the hundreds of men and women now serving effectively in our community were taught and influenced by him be it

"Resolved, that we the members of the Frontier's of America, (Atlanta Chapter) request the Atlanta Board of Education to name the newly proposed high school for Negroes the Charles L. Harper High School.

# Methodist Women Ask Open Schools

The Atlanta Constitution, Atlanta, Ga. Thurs. 4-28-60 P. 12

A statement urging the improvement and preservation of the public school system has been adopted by the North Georgia Conference Woman's Society of Christian Service of the Methodist Church.

The statement also advocated "total abstinence" as the answer to America's alcohol problem.

"The entire world is affected by the crucial racial and alcoholic situation," says the statement adopted at the annual meeting of the North Georgia WSCS at College Park First Methodist Church.

"Our schools must stay open. To close the public schools now would delay education of children and lower the moral and mental standards of our youth. Only a small percentage of children could afford to attend private schools even with maximum grants of $250 from the state."

Pointing out that alcoholism is the third leading illness in the U.S., the statement expresses concern "about the serving of alcoholic beverages on airlines," and terms the amount of alcoholic beverages sold in the U.S. "appalling."

"It is most important that alcohol education be taught in the public schools," the statement continued. ". . . The discipline of the Methodist Church asks for total abstinence. Total abstinence is the answer."

# Pastors Go 51-1 to Save The Schools

The Atlanta Constitution, Atlanta, Ga. Fri. 3-24-60 P. 1

COLUMBUS (AP)—Columbus area ministers have voted 51-to-1 in favor of local option in the Georgia public school crisis in a secret ballot conducted by the Ministerial Alliance here.

The single minister voting against local control favored closing all Georgia public schools rather than allow integration.

The results of the poll will be presented to a subcommittee of the Georgia School Study Commission at a specal hearing here Thursday.

The findings were made public Monday.

Several other organizations in Columbus are conducting polls on the school integration question.

Largest of these is the Columbus Chamber of Commerce, which has sent about 1,400 cards as secret ballots for its membership.

The school study commission hearing will be held here at 10 a.m. Thursday in the courthouse.

# Integrate In '61, Atlanta Ordered

The Courier-Journal, Louisville, Ky. Tues. 5-10-60 P. 2

## Schools Given May 1 Deadline Regardless Of Georgia Laws

By The United Press

Atlanta, May 9.—A federal court Monday ordered Atlanta public schools desegregated May 1, 1961, regardless of whether Georgia laws flatly forbidding integration are changed.

Judge Frank A. Hooper of United States District Court here handed down a formal order specifying that the Atlanta School Board must begin accepting applications without regard to race or color next May 1 for enrollment in the 11th and 12th grades.

**Given 'One More Chance'**

He rejected a request by Negro plaintiffs that he order immediate implementation of a 1959 Atlanta school-desegregation order.

He said he felt the Georgia Legislature should have "one more chance" to avert conflict between the State's no-budge position and the court's directives to begin desegregation. The Atlanta School Board had asked for more time.

His order late Monday set a flat compliance deadline for the first time.

The order directed the School Board to put into effect a pupil-placement plan previously approved by the court next May 1 regardless of whether the 1961 Legislature enacts permissive legislation.

The 1960 Legislature refused to alter or soften in any way Georgia's segregation laws. Under such laws, any school faced with a desegration order must be closed.

After the final written order was filed, plaintiffs in the case indicated that they would not appeal. They said earlier that an appeal was likely, but changed their mind after study of the language of Hooper's order.

Hooper said he wanted a solution "without chaos" in Georgia and said it could be accomplished by the 1961 Legislature through pupil assignment and freedom-of-choice laws.

# Sibley Panel to Urge Pupil Protection Plan To Keep Schools Open

The Atlanta Constitution Atlanta, Ga. Thurs. 4-28-60 p. 1

## Report Today Will Ask Vote on 2 Amendments

1420 Ga

By BRUCE GALPHIN

The Sibley Committee will recommend a "Student ...ection Plan" Thursday for preserving Georgia's pub... school system.

...committee will propose a ... of constitutional amend... to be voted on by the ...nd statutes for ensuring ...dom of choice on integra... Georgia school children ...

...minority of at least eight ...llenge the findings of the ... and insist on standing by ... school-closing laws.

...jority report is expected ...clude that in view of court ... in other Southern states, ... will not be allowed to ... down some schools while ...taining others with public ...

...ead, it will recommend re... existing statutes and the ...stitutional provision for sep... schools.

...their place, it will propose ...ries of choices for protecting ...idual students.

...L PLACEMENT

...The first presumably would be ...l placement plans for limit... ...he degree of transfers be... ...white and Negro schools.

...Then, if a school should be in... ...parents could request ... to a totally segregated ... within the system, if ... were available.

...the parent could with... draw the child from public schools and accept tuition grants—already authorized under the 1954 "private school" amendment.

That is the "Student Protection Plan."

Nowhere does the report refer to the much publicized "local option," which lawyers on both sides of the question have maintained to be impractical or illegal.

The minority will insist on sticking by present laws until they are struck down and then inaugurating private schools supported by state tuition grants.

**REPORT TODAY**

Both reports will be released at 10 a.m. Thursday at the State Capitol, after a hectic 2½-month study by the committee.

The report will leave unanswered two vital questions in the school controversy:

The Atlanta Constitution

1. Will the General Assembly pay any heed to the recommendations, and if so, when will Georgians have a chance to vote on the question?

Atlanta Ga,

2. Will Federal Judge Frank Hooper, who has delayed his final order in the Atlanta school integration case until the report is delivered, grant further delay?

Thurs. 4-28-60

**NO DATE**

The report is not expected to recommend any specific date for votin gon constitutional amendments.

P. 10

Amendments could be put on the 1960 ballot if a special session of the Legislature were called and two-thirds of the members voted for them.

This is considered highly unlikely. The next regular time for constitutional votes will be 1962.

Whether Hooper will allow another year's time on the basis of the hope the committee holds out for changes in existing laws is uncertain.

The judge late last year granted a delay, however, after noting that under present Georgia law, schools would be closed if they were ordered integrated.

**GIVEN TIME**

He gave the Legislature time to re-examine existing laws. The Sibley Committee was the Assembly's answer to this suggestion.

The majority report is based on the committee's study of laws, court decisions and its 12 public hearings in 10 Congressional districts.

The minority report will maintain that the sentiment developed at the hearings does not justify abandoning the present school-closing laws.

It will maintain that 55 yer cent of the witnesses were in favor of standing pat, against 45 per cent for change.

**TOTALS GIVEN**

The witnesses for the status quo represented some 75,000 persons, while those for maintaining public schools represented 45,000, the minority will say, and witnesses indicated 103 counties are opposed to change and only 44 for public schools.

The minority will further insist that seven Congressional districts favor their point of view, with only three districts on the other side.

The majority report will in many cases present quite different figures, indicating that a majority of the people of the state (not the counties) favor preserving public schools.

The bulky report, which has remained a closely guarded secre of the entire committee, ma run to about 50 pages. Th dissent will be much shorter.

## Sibley Panel's 70 Days Cost State $70,000

The Atlanta Constitution Atlanta, Ga. Thurs. 5-17-60

The cost of sampling statewide sentiment on the school integration issue was much less than anticipated, the secretary of the Sibley Study Committee reported Monday.

p ?

State Sen. John Greer of Lakeland said total expenditures for the committee's 70 days of operation may be less than $70,000. Earlier estimates put the cost in the neighborhood of $100,000, he said.

1420

Sen. Greer also revealed that Atlanta banker John Sibley, chairman of the committee, has refused to accept any compensation from the state for his service.

Ga.

The 1960 General Assembly created the special committee to gather opinions on the school integration controversay in each of Georgia's 10 congressional districts and authorized per diem of $20 a day, plus $20 a day expenses, plus 6 cents a mile travel allowance.

Greer said Sibley "will probably eat my ears off for saying anything," but he disclosed that the chairman refused recompensation even for actual expenses incurred in traveling over the state.

# District 9 Expected To Back Schools

The Atlanta Constitution
Atlanta, Ga. Journ. 3-24-60

The Sibley commission moves Thursday to Gainesville where public school supporters are expected to erase a 5-4 margin of congressional districts held by close-the-school advocates.

With public school sentiment running strong in the 9th Congressional District, the Gainesville hearing is expected to throw the public opinion poll into a deadlock.

Observers believe this will lead to a recommendation by the commission that local option and/or a referendum be utilized in the state's school integration crisis.

The commission, officially labeled the General Assembly Committee on Schools, was created by the 1960 General Assembly to poll public opinion in all 10 congressional districts and then make "positive recommendations" to the Legislature for solving the school crisis.

**TWO MORE HEARINGS**

The Gainesville hearing ends the poll for all intents and purposes, although subcommittee hearings will be held in Atlanta and Columbus March 31 to hear additional witnesses. The second Atlanta hearing is not expected to materially affect the 3-1 margin built up by public school supporters of the 5th Congressional District.

Although the scoring of results of the hearings is not precise in all cases, it is adequate to gauge the concensus expressed by witnesses. This has been done by recording answers to Chairman John A. Sibley's stock question:

Do you favor local option as an alternative to closing the public schools?

More than 6,000 Georgians, including several hundred Negroes, have attended the hearings.

There have been 1,193 witnesses, including scores of Negroes. Many of the witnesses have appeared only to express their personal opinions, but a large number have testified in behalf of organizations.

**SCOREBOARD BY DISTRICTS**

The first hearing on March 3 at Americus (3rd District) attracted 300 spectators, including 57 witnesses. The result was a 5-1 margin for close-the-schools-at-all-costs forces.

Results of other hearings (local option votes include all advocates of public schools at all costs) follow:

Washington, 10th District, March 7—500 in audience, 99 witnesses, 5-4 for local option.

Cartersville, 7th District, March 10—400 in audience, 60 witnesses, 3-1 for local option.

LaGrange, 4th District, March 11—700 in audience, 91 witnesses, 6-5 for local option.

Douglas, 8th District, March 14—700 in audience, 146 witnesses, 4-3 for closing public schools.

Sandersville, 6th District, March 16—800 in audience, 160 witnesses, 2-1 for closing schools.

Sylvania, 1st District, March 17—800 in audience, 214 witnesses, 3-1 for closing schools.

Moultrie, 2nd District, March 21—1,000 in audience, 252 witnesses, 5-1 for closing schools.

# GEORGIA DIVIDED ON SCHOOL LAWS

The New York Times

## Panel Majority Asks Local Option on Integration—Others Would Resist

New York
Fri 4-29-60

Special to The New York Times.

ATLANTA, April 28—A study commission set up by the Legislature was divided today in recommendations to solve the state's school segregation problem.

An eleven-man majority recommended a local option, freedom-of-choice plan to comply with the United States Supreme Court's desegregation ruling. An eight-man minortiy urged continued resistance to desegregation at all cost, including switching to a private school plan.

Among those waiting for the recommendations is a Federal judge who has ordered Atlanta schools desegregated. He postponed his final order on when the ruling was to go into effect to see what the commission and state government would do.

The majority in its report conceded that the only way to have total segregation was for the state to get out of the school business. It urged the state to set up its own rules for race mixing or face "coercive integration by court order, with no safeguards available to the local people."

Its recommendations would require two constitutional amendments, which could be voted on either this fall or in 1962. Gov. S. Ernest Vandiver reported immediately that he was against a special session of the Legislature, which would be necessary to implement the proposed amendments for a vote this fall.

The next step is up to Federal Judge Frank Hooper. He has said he will rule May 9 on when his desegregation order will go into effect.

One of the constitutional amendments recommended by the majority would allow school districts to close schools, presumably those threatened by integration, and then reopen them "according to the wishes of a majority of the qualified voters" of the district.

The other proposed amendment says no child could be compelled to attend an integrated school against his or his parents' wishes. This is the converse of the Supreme Court's ruling that school segregation cannot be enforced by law.

The majority report also calls for legislation to provide tuition grants for pupils whose parents do not want them to go to integrated schools. This opens the way for an optional, private, segregated school in integrated districts.

Georgia law now calls for the closing of one, two or all schools in a school district where desegregation is ordered.

The minority recommended enabling legislation for present statutes setting up grants-in-aid for pupils. It urged keeping schools segregated and public as long as possible and then a change to the pupil-grant system as a "last resort."

The majority report said private schools were the only way to maintain total segregation. And private schools on such a scale will not work, it declared.

The report said the only alternative was "a system of education within the limitations of the Supreme Court decision, yet one which will secure the maximum segregation possible within the law."

**Policy Left to Stores**

The W. T. Grant Company says its local managers will decide whether Negroes will be served at lunch counters in its Southern stores.

Louis C. Lustenberger, president, made the statement in answer to a question at a stockholders' meeting here. He said, "Our practices are governed by local customs, which we cannot control and which existed long before our stores were opened.

Meanwhile, about 100 students at Wagner College on Staten Island yesterday voted approval by a 2-to-1 margin of a resolution that opposed the expulsion of students from schools for "taking part in the peaceful request for service at segregated lunch counters in defense of fundamental rights."

The United Church of Christ reported here yesterday that it would aid students who were the victims of reprisals for picketing stores, restaurants, libraries or other public places discriminating against Negroes.

The Rev. Dr. Truman B. Douglass, executive vice president of the Home Missions Board of the Congregational Christian Churches, announced that financial assistance would be given students who had been expelled from college or who had lost part-time jobs as a result of picketing. The United Church comprises the Evangelical and Reformed Church as well as the Congregational Christian.

# Negroes Ask to Drop Own Plea

The Atlanta Constitution
Atlanta, Ga.

By JACK KAPLAN

In a surprise move Tuesday, NAACP attorneys asked Federal District Judge Frank A. Hooper to dismiss their appeal of his order which delayed a decision to implement the Atlanta school desegregation plan.

The appeal came on the heels of Judge Hooper's March 10 decision to wait until the Sibley committee had completed its hearings before handing down a final order. Hooper set a hearing for May 9, eight days after the committee report is due.

The new plea for dismissal came by mail from NAACP legal headquarters in New York City.

**TO WAIT ON JUDGE**

In a telephone interview Mrs. Constance Baker Motley, one of the plea's signers, said dismissal of the appeal was asked because the attorneys had decided to go along with Judge Hooper's May 9 hearing.

"We felt it would be better to go along with the hearing and see what the outcome was before going ahead with anything," she said.

Other attorneys signing the plea were Thurgood Marshal, the NAACP's chief legal counsel, and E. E. Moore Jr., Atlanta attorney.

**NOT DOCKETED**

The new plea, which was written in routine form, said:

"Plaintiffs have not taken any further steps to perfect their appeal and the appeal has not been docketed in the said Court of Appeals (in New Orleans, La.). Wherefore plaintiffs pray that this court enter an order dismissing their appeal."

Dismissal of the appeal would leave the burden of deciding whether Atlanta's schools will be desegregated this fall with Judge Hooper.

His March 10 order mentioned the possibility of a September 1961 date for putting the desegregation plan into effect instead of 1960. The order also overruled a request by the Negroes to ignore the Sibley hearings.

The Negroes said that the plan must be put into effect by May 1 or its operation would be delayed a year. The plan calls for students to submit transfer applications between May 1-15 for the school year beginning in September.

Hooper, however, contended that a May 9 decision would still leave plenty of time for such transfers to be submitted should he rule for desegregation this September.

In his order, the judge said he was "not utterly without hope that the people of Georgia, when properly and adequately informed of the true issues of the matter, will adopt a course of action which will preserve the common schools of Georgia and avoid a closing of the same, which might bring on a disruption and damage requiring many years to repair."

# School Desegregation Delayed

# Another Year By Judge Hooper

## Georgia General Assembly Given Last Chance To Act

By JOHN BRITTON

**Federal District Judge Frank A. Hooper Monday refused to order immediate desegregation of Atlanta public schools and deferred until 1961 the implementation and operation of this city's pupil placement desegregation plan.**

Judge Hooper said that he was allowing the extra year's delay to give the Georgia General Assembly one last chance to save the public school system of the state.

Though he denied the September, 1960 date as requested by plaintiffs for the start of desegregation, Judge Hooper, in his written order later Monday afternoon, said 1961 definitely would be the year for public school desegregation in Atlanta.

Hooper denied the plaintiffs' motion to put the court approved pupil placement desegregation plan into operation this fall, and further had this to say:

"The effect of this order is that the defendant shall as of May 1, 1961 put into operation the plan approved by this Court, receiving applications from May 1, to May 15, to the 12th and 11th grades of Atlanta Public Schools, and shall do so whether or not the General Assembly of Georgia at its sessions in January, 1961 passes legislation permitting defendants to put said plan into operation."

Thus, it would seem from Hooper's order that Atlanta public school desegregation will begin in September of 1961, even if the legislature maintains its solid all-out resistance to any form of desegregation.

**PLAN MODIFIED**

Since the judge ordered a one-year delay in the start of school desegregation here, Hooper modified the grade-a-year aspect of the pupil placement plan so that both the 12th and 11th grades would be open to possible integration in 1961, the deadline year.

It was not clear Monday afternoon if attorneys for the Negro plaintiffs intended to appeal the ruling of Judge Hooper to a higher court. Shortly after the federal judge announced his oral opinion and order on the matter, the attorneys indicated that they would definitely appeal the order.

Later, however, after the written order had been signed by the judge, at least two plaintiffs' attorneys said their intention to appeal was not as clear-cut as it once had been and that the written document would need more study before a final decision on whether or not an appeal would be made.

In arguments before the court Monday morning, Mrs. Constance Baker Motley, a New York NAACP legal counsel, told Judge Hooper that the desegregation order of the court should not be made contingent on any action by the legislature.

Mrs. Motley declared that no action by a legislature can dominate a federal court action. She said it was up to the district courts to decide on the implementation of court-ordered desegregation.

"Once a district court has approved desegregation," Mrs. Motley argued, "the power does not lie with the legislature or the majority of people to determine when, how or if the plan is to go into effect."

The woman attorney further argued that no federal court order may be suspended because of opposition. "This court has no choice but to grant our motion for implementation of the plan approved by this court."

And as for the Sibley Commission — The General Assembly Committee on Schools — report, Mrs. Motley said flatly that that group's report has absolutely no relevancy to the time school desegregation should begin.

Judge Hooper said he has worried most about the laws on Georgia books that would call for the closing of public schools in the event of court-ordered desegregation.

He mentioned the campaign promises of top state officials who were quoted as saying that while they were in office no white child would be "forced' to attend a public school with a member of the opposite race.

Hooper apparently interpreted those campaig peeches as a threat to close the public schools if desegregation were ordered.

Hooper frequently made mention of the fact that the face and personnel of the Georgia General Assembly may be greatly changed following the elections in September.

He inferred that new men will possibly be elected to the legislature and that the assembly may then change its course from the adamant segregationist stand of the past and adopt permissive legislation that would allow school desegregation without the threat of closed schools all over Georgia.

Hooper asked Mrs. Motley what she thought would happen if he ordered immediate desegregation of schools with the existing Georgia laws on the books.

**SCHOOL MAY CLOSE**

Mrs. Motley answered that schools may close for a while, "but they would not remain shut for one year." She said that there were administrative remedies that could be taken by the Atlanta Board of Education to re-open the schools should they be ordered closed because of desegregation.

She mentioned that schools in Virginia and Arkansas were closed for a period of time," but they reopened."

And as for school closing, Mrs. Motley said in the event they are shut down, "It will not be the court or plaintiffs who closed the schools, but it will be the Georgia legislature that will be responsible."

If Hooper had granted the request for immediate desegregation of Atlanta public schools, "school closing may very well be the price that has to be paid for a new order. But closing the schools will be the end of the old order. Opening the schools will be the beginning of the new order of implementation," Mrs. Motley declared.

Judge Hooper, in effect, childed the Georgia legislature for not passing laws making gradual desegregation permissive. He said that Alabama and other Deep South state governing bodies had passed pupil placement laws that could permit "token integration". He said that law permitting gradual desegregation would be advisable. "But," the judge said, "the Georgia legislature apparently took the attitude of an army general who felt that an elaborate fortification would only invite attack.."

**ASSEMBLY MIGHT CHANGE**

"There will be a new set of men running for the legislature this September," the judge said. "Maybe they will have a change of heart in view of the changing sentiments on schools as shown by the Sibley Commission's study."

"The Legislature might change its mind next January and agree to have some integration rather than risk a dam-breaking allowing the whole state to be flooded."

At that point, it was felt that the judge was injecting what might very well prove to be a major campaign issue for every candidate running for state office next fall.

Hooper ended his oral statement Monday saying, "this is the last chance the court can give to the people of Georgia and the legislature."

He said that desegregation by September. 1960 would only mean school closing. May 15, 1961 would give the legislature time to act, the judge said.

"However, in 1961, I will order the 12th and the 11th grades desegregated at the same time in order not to lose ground due to the delay in starting desegregation here."

**DISAPPOINTMENT EXPRESSED**

Several sources said they were totally dissatisfied with the delay in the start of desegregation.

The Rev. Samuel Williams, president of the Atlanta Branch NAACP, said:

"We are understandably disappointed with the judge's ruling delaying the implementation of his order that Atlanta schools desegregate until 1961.

"We wish we could share the optimism that the next Georgia legislature will take any action to make possible the desegregation of public education in this state.

"This decision to delay disappoints us because our children continue to be discriminated against and we cannot accept the implications however vaguely put that one more year will not hurt them."

The Executive Board of the Greater Atlanta Council on Human Relations had this to say regarding Judge Hooper's order Monday: "We regret the decision of the District Court in the Atlanta School case which effectively delays the implementation of the Supreme Court decision of May, 1954 in the City of Atlanta.

"Experience in cities where desegregation has already occurred indicates that the period of transition has been smooth and peaceful when decision has been firm, forthright and prompt.

**APPEAL TO BE DECIDED**

"Continued public debate on a matter which is undebatable, namely obedience to the law, can only lead to more confusion, disruption and uncertainty throughout the entire community.

"It is time, we believe, when Georgia should face up squarely to the alternative before it — open schools consistent to the Constitution of the United States, or no schools."

An appeal of Hooper's order may or may not be in the making depending upon the decision reached during a conference of plaintiffs' attorneys that was to have been held behind closed doors Monday evening.

# ATLANTA MIX DECISION DUE

By United Press International

A federal judge in Atlanta is expected to rule today on a Negro motion to desegregate city schools.

Judge Frank A. Hooper was scheduled to hear arguments on a Negro motion that the Atlanta School Board's pupil placement plan be put into effect immediately.

The plan, devised under an order issued by Hooper in May 1959, provides that Negro children desiring admission to all-white schools must apply for transfer between May 1 and May 15.

If Hooper rules in favor of the Negro motion, it could pave the way for the closing of schools in Georgia.

# Option Plan No Answer, Editor Says

By CHARLES MOORE

An outspoken segregationist editor said here Tuesday that desegregation of schools in some communities might be better "supervised" than having no schools.

He is the editor, Thomas R. Waring of The Charleston (S.C.) Newspapers. He reiterated that he is opposed to any type of school desegregation—"token or whatnot."

He addressed the monthly meeting of the Atlanta professional chapter of Sigma Delta Chi journalism fraternity.

Waring said local option plans to let individual communities decide on the question is not the answer. He said control of the schools should be with the state government.

DOUBLE STANDARD

He complained of a double standard of handling the news by the Northern press and said he is more disposed to print favorable rather than unfavorable" items that tend to promote racial integration.

The South Carolina editor, a 1955 winner of the Atlanta chapter's Green Eyeshade Award for journalistic enterprise, said there is no one group responsible for the "double standard."

23 INITIATED

Twenty-three persons were initiated into the chapter. They were:

Jack Nelson, Ted Lippman and Gene Britton, Atlanta Constitution; Jimmy Dunaway, James F. Axel Jr. and William L. Foster, WSB-Radio; Hugh Schutte and Robert M. Sundy, Associated Press; Dick Link and Robert D. Harrell, Atlanta Journal; Joseph Bryan Cumming Jr., Newsweek, and Jack E. Patterson, Business Week.

George H. Dockray, Textile Industries; Bill Young, Atlanta Constitution and Journal; Martin Murphy, Charles S. Taylor Jr., William Archer Shires, Benjamin Lowry Bowman, Jerome F. Brazda and Fred William Lyon Jr., United Press International; William D. Hammack Jr., Journal-Constitution Magazine; Robert H. Blair Sr., NBC-TV, and Billy E. Barnes, McGraw-Hill Publishing Co.

# Atlanta School Case To Be Heard

ATLANTA —(AP)— Arguments are slated to begin today in U.S. District Court on when Atlanta public schools must be desegregated.

Attorneys for the Atlanta Board of Education are expected to contend no date should be set until after the Georgia Legislature meets in 1961 and has time to act on a report by the state school study committee.

Atty. A. T. Walden, representing parents of several Negro children concerned, says he will ask that desegregation be ordered in the city schools in September, however.

Judge Frank Hooper already has ordered the schools integrated and has accepted a Board of Education pupil placement plan providing for grade-a-year desegregation.

But the judge postponed setting a date for implementation until after the school study group, called the General Assembly Committee on Schools, completed its report.

This has been done after a series of public hearings in the state's 10 congressional districts at which hundreds of witnesses testified.

# ATLANTA AWAITS SCHOOL DECISION

## Court Hearing Tomorrow May Bring Deadline for End of Segregation

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, May 7—A Federal Court hearing Monday will force Atlanta nearer the inevitable showdown in a desegregation crisis that threatens public education in Georgia.

District Judge John A. Hooper has said that after the hearing he will set a deadline for the end of school segregation here. No other Deep South city has yet faced such an ultimatum.

Many parents have expressed fear that the Board of Education will be ordered to begin the process next September. This would trigger state laws closing the affected schools and cutting off their funds.

Anticipating this, lawyers here have prepared suits that will first seek to block state officials from enforcing these statutes. If they are unsuccessful, they will then challenge the state's right to provide public education elsewhere.

### Officials Confident

The second step would be based on the equal-protection clause of the Fourteenth Amendment to the Constitution and precedents set by Federal Courts in the Norfolk, Va., and Little Rock, Ark., cases.

State officials have sought to assure leading Atlantans that no schools will be shut. Their confidence apparently stems from a conviction that Judge Hooper will grant a further delay.

Three lawyers here who have followed the case closely said this week that they knew of no basis for such reasoning. And a prominent figure in legal circles reportedly compared the city's plight to that of a man confronted by a dose of castor oil. "The longer you look at it, the harder it is to take," he was quoted as having said.

However, one of the lawyers, who declined use of his name, said a showdown might not come until September, 1961, even if the board were ordered to start desegregation this year.

He noted that Negro applicants for previously white schools might be forced to go through the time-consuming administrative remedies provided by the board's pupil-assignment plan if denied admission. Further delays, he said, would result from the likely possibility that Negroes would have to prove in court their eligibility for transfer.

### To Review Findings

Judge Hooper set Monday's hearing to review the findings of the General Assembly Committee on Schools. The nineteen-man panel was set up by the Legislature to sound out sentiment on the desegregation question. It was widely considered to be the creation of the Administration of Gov. S. Ernest Vandiver.

More than 1,800 Georgians appeared before the committee at public hearings in the state's ten Congressional districts. They included Negroes and whites, farmers in galluses and sweat-stained khakis, business men in ivy-league suits, lanky mountaineers from the Blue Ridge hill country, cattlemen from the pine and palmetto flatlands, teachers fresh from the classroom and suburban housewives.

Their views ranged from the thundering "never!" of the States' Rights Council segregationist to the equally adamant demand for "desegregation now" from members of the National Association for the Advancement of Colored People.

Only a handful advocated desegregation. A bare majority, although not necessarily a representative one, favored closed schools to any integration. But the hearings made clear that many Georgians preferred to accept some desegregation, although reluctantly, as the alternative to abolishing public education.

One of the committee's most important functions, it was conceded, was informing Georgians of the nature of the crisis. Its chairman, John A. Sibley, chairman of the executive committee of the Trust Company of Georgia, repeatedly stressed these following points:

¶The Supreme Court desregation decision of 1954 is the law of the land no matter how distasteful it may be.

¶Present state laws are in conflict with that decision.

¶The ultimate choice is between compliance to some degree and the end of public reducation.

### Amendments Proposed

"You might dwell on whether it is wise to claim rights that do not exist and thereby risk rights which you do possess," advised the Atlanta financier.

No action can be taken on the report's recommendations until the Legislature convenes. Its next session is scheduled for January, 1961, and Governor Vandiver has said he will not call a special session on the matter.

This means that the proposed amendments cannot be submitted to the voters until November, 1962. Under state law, referendums can only be conducted during a general election.

### May Ask Delay

Board of Education lawyers are expected to ask Judge Hooper to delay action in the case until legislative consideration has been completed. This was their argument in a successful request to the court to await the study committee's report.

Lawyers for the Negro plaintiffs have said that they will seek immediate implementation of the grade-a-year desegregation plan proposed by the city and approved by the court.

"Even should the courts grant further time, the decision ahead is inevitable," asserted The Atlanta Constitution this week.

It continued:

"Focal point of the commission's reasoning — that state laws in conflict with Federal laws are unenforceable — still will apply, this month, next month or next year. We must find a way to adjust to this fact or prepare to end public education."

Across the state there are growing indications that recent events have convinced many Georgians that such is the case.

### University Glee Club Heard

The University Glee Club of New York gave a concert in Town Hall on Friday under the direction of Channing Lefebvre. Its program of sacred and secular music ranged from works by Bach and Handel to college songs. Clinton Reed was piano accompanist, and Gerald Weale was the organist.

To solve school mixing crisis—

# Atlanta given just one more chance

ATLANTA, May 10—(AP)—A federal judge's decision to give Georgia one more year to solve its public school integration crisis pleased and encouraged some school officials today.

But several political leaders said there seemed little chance the 1961 Legislature would enact laws to avert school closings when it met in January.

Negro organizations generally expressed disappointment. Attorneys for the Negroes in the case were not certain whether they would appeal.

U. S. DISTRICT Judge Frank A. Hooper handed down a formal ruling yesterday setting May 1, 1961, as the date for compliance with his desegregation order.

In granting the delay, the judge modified the pupil placement plan so that the 11th as well as the 12th grades would be desegregated in May, 1961. This will allow the grade-a-year plan to be completed in the same length of time as originally scheduled.

**But Hooper warned this was "the last chance this court can give."**

**The judge said he wanted to give Georgia an opportunity to avoid the fate of Virginia, where "the tragic thing . . . was that the people would not give an inch until their children were out in the street."**

He added, "I sometimes think that's what it will take in Georgia—to close the schools to get integration."

HOOPER TURNED down the plea of Mrs. Constance Motley of New York, counsel for the National Assn. for the Advancement of Colored People, to order immediate desegregation.

That would have given time for Negroes to apply for transfer to white schools before May 15 this year. Atlanta school board attorneys argued that if schools were integrated this September the city would lose its power to levy taxes to support the schools which under state law must be segregated.

Hooper said he wanted the 1961 legislators, to be elected this September, to have a chance to enact laws providing for gradual integration, "rather than to risk the dam breaking and the whole state to be flooded."

THE MAY 1 date was set by the judge to give Negroes time to apply for transfer to white schools for the start of the Fall term.

Mayor William B. Hartsfield said, "I sincerely hope our state leaders and the Legislature will take steps to save public education in our state."

**Gov. Ernest Vandiver said the school desegregation case now "addresses itself to the 1961 General Assembly."**

Calling for unity among Georgians the governor said, "Members of the forthcoming Legislature now being elected will have presented to them for decision some of the most vexing and fateful problems ever to confront modern day Georgians. I am confident the people will elect to the assembly men who are equal to the task before them."

Senate Floor Leader Robert Culpepper said he did not think "there will be any substantial change in legislative thinking."

# Students Tour D. C.; Will Parade Today

## WASHINGTON HIGH BAND TO FACE NATIONWIDE COMPETITION TODAY

By JOHN BRITTON

WASHINGTON, D. C. — Education and culture virtually tripped from the Hall Marks of Democracy here in the nation's capital Friday, soaking thousands of school Safety Patrolmen with inspiring knowledge they would never have received in school books.

Even a most experienced adult chaperone herding the juvenile group shared their blase metropolitan airs as the magnificance of the imposing capitol structures bathed their tired eyes in beauty.

Approximately 2,900 Atlanta school patrolmen, including about 270 very well behaved Negro youngsters, Friday joined thousands of other safety patrol units from all over the nation for the annual school safety patrol tour and gigantic parade. Sponsored by the American Automobile Association.

The changing of the guard at Arlington Cemetery's tomb of the unknown soldier was by far the most impressive event of the Friday tour of Washington.

Other spots that drew sighs from eager young students included the history filled Smithsonian Institution, the Lincoln and Jefferson memorials, and the sky scraping Washington monument.

While sleeping in peace Friday after an arduous trek over the capital city, dreams of the big parade today no doubt danced through their weary heads.

Today, early in an expected chilly morning, the annual parade that the youths have worked for during a whole year will get under way. Accompanying the Atlanta group today in their rhythmic flow down historic old Constitution Avenue will be the fabulous award winning Washington High School marching band under the direction of Louis Smith. And when the final count is taken the Atlanta youngsters fully expect to walk away with at least one top parade prize.

The great Washington band, faced with heavy nationwide competition will be blazing towards stardust as they thrill the throngs along the corridors where world dignitaries have been applauded.

Following the parade today the youths will tour Embassy Row. And if they by chance walk on the soil surrounding an embassy building the youngsters can return to Atlanta and brag of tredding on foreign soil.

Shortly after five p. m. today, Atlanta time, tired boys and girls will regroup their energy for the return journey homeward.

The special seaboard railroad train bearing the Negro capital visitors will thunder into terminal stations will thunder into terminal sta-Sunday, May 15.

# School Study Commission Asks 'Freedom Of Choice' Voting On Desegregation

Atlanta Daily World Atlanta, Ga.
Fri. 4-29-60 P. 1.

## Hearing Slated Before Judge Hooper On May 9

By AL KUETTNER
(United Press International)

An official school study commission recommended Thursday that Georgians be allowed to vote on a "freedom of choice" program permitting the state's first desegregated classrooms.

It was the first major break in this Deep South state's segregation armour but the proposal had a rough journey ahead in the legislature before it could go on the form of constitutional amendments.

A legislator quickly urged Gov. Ernest Vandiver to call a special session this summer to tackle the issue.

There was sharp divisions of opinion throughout the state on the school racial issue and it was reflected in the 19-member commission's efforts to find the answers. Eight members, including all but two of the group's legislative representation, filed a strong minority report calling for even further strengthening of Georgia racial laws.

**SPECIAL SESSION "FUTILESS"**

Vandiver's first reaction was against calling the proposed special session. He said it would be "fruitless."

Rep W. Hugh McWhorter urged the governor to change his mind. He pointed out that unless the voters get a chance to ratify constitutional amendments this November it would be 1962 before they have opportunity.

He expressed doubt that Judge Frank A. Hooper, who has ordered desegregation of Atlanta schools, would wait that long for formulation of new Georgia policies

"I believe Judge Hooper would give us another year if it were known these amendments would be voted on in November," McWhorter said.

Hooper was given a copy of the commission report and said he would study it prior to holding a new hearing May 9 at which he may set a compliance date on his Atlanta order.

The 11-member commission majority, headed by Chairman John A. Sibley, Atlanta banker and lawyer, recommended constitutional amendments protecting children from being compelled to attend integrated schools and authorizing establishment of local school units with autonomous control over racial closings.

The majority also proposed new laws providing for tuition grants or scholarships for children withdrawn from integrated schools or left without schools if they should be closed by state law or court order.

The majority report followed closely the "freedom of choice" plan that emerged out of Virginia's turbulent massive resistance era. Under the present system, some Virginia schools are desegregated and one entire system is operated privately.

**"BASIS ALTERNATIVE"**

"While the state is without power to enforce racial segregation in schools by law, the federal government under the constitution is without power to impose integration upon the individual," the report said. "Nothing in the constitution or in the school decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The constitution does not require integration."

The majority said the "basis alternative" to closing public schools would be a system giving local boards authority to assign pupils, assuring that no pupil would have to attend integrated classes and leaving it to local school district voters whether their desegregated schools should be closed.

The report sharply criticized "those who insist upon total segregation but who back away from closing schools.

"They are not only deceiving themselves and the people, but are creating a very difficult and harmful situation. If the state stands upon the present laws yet declines to accept the ultimate closing of schools, the result will be integration in its worst form - coercive integration by court order."

## Atlanta May Rely On Sibley Report

The Atlanta Constitution
Atlanta Ga.
Ap. 4-30-60 P. 1

By BRUCE GALPHIN

The Atlanta School Board is expected to use the Sibley Committee report in a move to delay implementation of its desegregation plan for at least another year.

Lawyers for the school board presumably would make their move before the May 9 hearing set by Federal Judge Frank Hooper to consider the school case.

School attorneys likely will contend that the recommendations hold out hope for a way to prevent school closings. They will ask the 1961 Legislature be given a chance to act on the plan.

Attorneys for the Negro plaintiffs, on the other hand, are likely to argue that the law of the land is the law of the land and not dependent on any state legislature.

Thus the next step in the school crisis is clearly in the hands of Hooper.

No one was predicting Friday what he would do.

But some lawyers noted that the reason Hooper gave for a previous delay was to give the Legislature a chance to modify present laws which decree a school shall be closed if it is ordered integrated.

It is almost a certainty that Negro plaintiffs will appeal a further delay. But it was not known whether the appeal could be adjudicated before fall.

It was considered vaguely possible that Hooper could precipitate a special session of the Legislature this summer by ordering integration to proceed.

Meanwhile Friday, the League of Women Voters of Georgia issued a four-page statement praising the Sibley Committee.

The report, the league said, provided "an official, public forum for discussing the issue . . . (exploded) some of the myths which have been thrust upon the people for the past few years and . . . (placed) the responsibility for initial action upon the General Assembly."

The statement declared that "it is the first time an official organ of the state government has clarified the many widespread misstatements about the intent of the 1954 Supreme Court ruling.

"It burst the balloon of those who claimed we could have a 'public-private' school system." with the people as to whether schools, declined to elaborate on

James S. Peters, chairman of they will have integrated schools his statement.
the State Board of Education, or preserve the segregated sys-
made this comment on the Sib- tem."
ley report:

"The question of integration is too deep and far-reaching to be decided by any representative body, and the decision must rest

His reference to Peters, who focused public at-
the people" presum- tention on the question last Jan-
fer to a vote on th- uary in a letter asserting that
al amendments pr- there must be either some inte-
Sibley Committee gration or an end to public
governor's race.

# SIBLEY PLAN TO WIN OUT EVENTUALLY?

By MARGARET SHANNON

Some members on both sides of the split Sibley commission believe Georgia will adopt the majority's "freedom of choice" plan eventually, but no time soon.

"I think we'll probably have to have some school closings before it comes about," said an education member. "But I believe we've shown the way and that's the way Georgia will go."

A very staunch member of the minority, one of the six legislators, expressed about the same feelings.

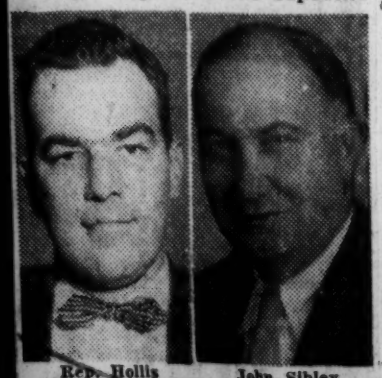
"I couldn't go along with the majority," he also said. "Coming from where I do, I'd be crucified. I've got to represent the people or they'd get rid of me fast. But I can see the other coming."

The Sibley group—formally the General Assembly Committee on Schools—wound up nine weeks of work Thursday, just about as split at the end as it was even before its statewide series of public hearings was over.

* * *

**THE MAJORITY** report was historic in its suggestion that Georgia break with tradition and go to controlled desegregation to save the public school system.

But it sought to cushion the shock of such an idea. For instance, it did not suggest the outright repeal of the separate schools provision of the state constitution.



Rep. Hollis John Sibley

"We figured that would just be putting it too bluntly," one member said. "You can talk to people about amending the constitution to prevent forced integration or for letting local citizens vote on closing their own schools, but you ask them to take school segregation out of the constitution and you've got an entirely different proposition."

* * *

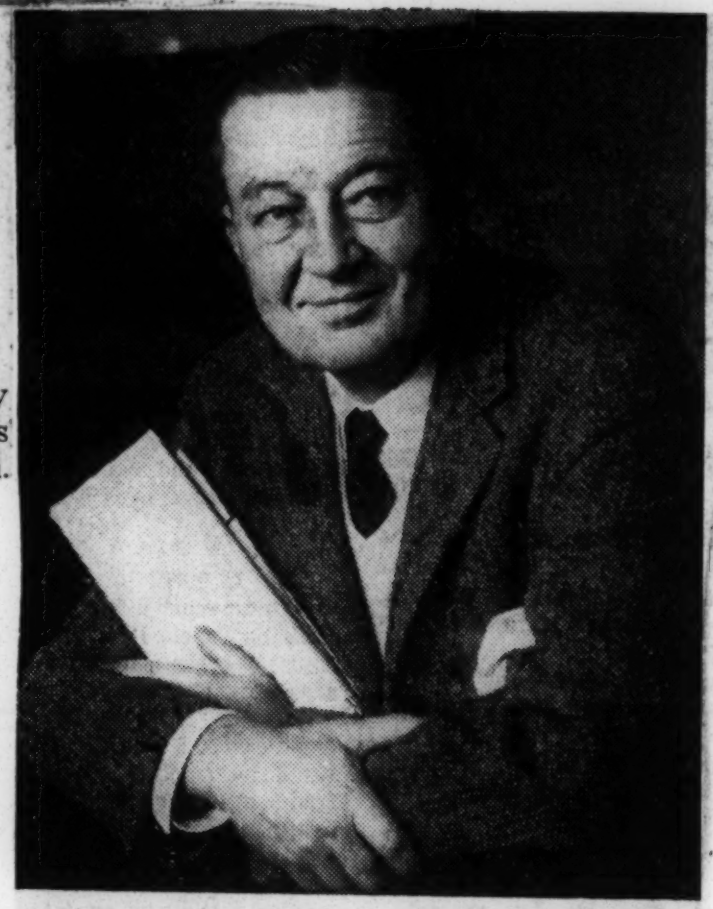
**THE AUTHORSHIP** of the majority report, into which are woven a great deal of law and philosophy and not a little friendly persuasion, has been variously attributed.

One commission member said it was hammered out chiefly by three lawyer members—Chairman John A. Sibley, Rep. Howell Hollis of Columbus and University System Chancellor Harmon W. Caldwell—and the panel's premier practicing politician, Sen. John Greer of Lakeland.

Other sources variously give chief author honors individually to Rep. Hollis, a former Georgia Bar Assn. president, who served as the commission's general counsel; to Dr. Caldwell, who formerly was law dean at the University of Georgia, and to Griffin Bell, Gov. Ernest Vandiver's chief of staff, who is in Mr. Sibley's law firm and who is credited with drawing up the legislative resolution creating the commission.

* * *

**THERE IS NO** particular point to might-have-beens about the commission, but it may be noteworthy that the change in the original membership linesup, made after the measure got to the Georgia Senate, gave the commission four minority members it wouldn't otherwise have had while giving the majority only two.



Special Photo

**DEVISED FREEDOM-OF-CHOICE SYSTEM**
**Former Macon Newspaperman Leon Dure**

Sen. H. E. Clary of Thomson and Reps. George Brooks of Crawford, Render Hill of Greenville and H. Walstein Parker of Sylvania, of the minority, and Rep. Hollis and Sen. Greer, of the majority, were added to the commission under the Senate amendment which called for appointment of two senators and four representatives to the group.

The education committee chairmen in the two houses, Sen. Wallace Jernigan of Homerville and Rep. Battle Hall of Rome, were the only legislators on the original roster. Both went with the minority.

The majority report did not attempt an exhaustive outline of existing state school segregation laws, but one omission nevertheless puzzled some Atlanta school officials.

* * *

**IN RECOUNTING** the school-closing power of the governor, the report mentioned 1955 and 1956 laws under which he must close all schools in a system if integration occurred in any one of them. But it did not mention the 1959 law allowing him to use his police powers to close only the integrated school and, if he wished, the school from which the integrator came.

Before the 1959 law was passed, the Vandiver administration reportedly asked Atlanta school officials whether single school closing, as opposed to systemwide closing, would help.

The answer was yes. School officials said they could disperse students from one or two closed schools to open schools, but a systemwide shutdown would produce incalculable chaos.

City school officials just hope that if and when school-closing time comes, the 1959 law won't be forgotten.

* * *

**SINCE THE REPORTS** came out, one of the many "ifs" in their wake has been: If the commission had been unanimous for freedom of choice, instead of 11 to 8 for it, would it have carried more weight with Gov. Vandiver, the Legislature and U.S. District Judge Frank A. Hooper?

Legislative sources, including those on the commission, generally agree that not even a unanimous report would have swayed a Legislature composed of men elected on diehard segregation promises.

As for the governor, they say, if he had wanted a unanimous freedom-of-choice report, he probably could have had it, either through the legislator appointments to the commission or by making such wishes known one way or the other.

* * *

**LEGAL SOURCES** believe a unanimous report along the majority line possibly would have carried more weight with Judge Hooper.

So goes the guessing—and the second-guessing.

At least part of the guesswork will end May 9 when Judge Hooper holds a hearing on the Sibley findings and lets it be known what he thinks about them and what they will influence him to do.

# A Message From Atlanta

Mrs. Marcia M. Mathews of Atlanta, wife of an Emory University professor, is white but she is a teacher of humanities at Negro Morehouse College in that city. Although she says she does not talk about her work with whites unless asked, she has written an article on her experience for *The Saturday Evening Post*.

It is a provocative description of a unique situation for the Deep South. Her account of her reaction and that of her Negro students is highly provocative.

But what she says calls for footnoting of a critical nature because it is so highly oversimplified. Mrs. Mathews plainly is an advocate of integration. She speaks of "discrimination" and resentment of it. She uses what she has seen at Morehouse to argue for integration. She would contend that her insight has shown her fallacies of segregation. She argues that the difference between black and white is the difference between white and white or black and black.

This is saying a man's a man for a' of that. In some ways that is true. No literate Southern white would deny that a Negro with normal mental capacity brought up under advantageous circumstances and afforded really good educational opportunities could not in many, many cases achieve an intellectual level of many whites. Those in the South who argue that *all* Negroes are inherently inferior lead themselves astray.

What is certainly true is that, considering the relatively short time the Negroes of America have been on the upward path from the African hinterland, the vast majority of them have not as yet achieved the norm or average capacity of whites generally. This fully concedes exception after exception.

But if Mrs. Mathews found for herself satisfactory evidence at Morehouse to support mixing, it is clear to any who would look about that the vast majority of Southern white people would not agree. Further, as Mrs. Mathews concedes, they are by heritage, training and association while growing up, naturally accustomed to an advocacy of segregation and a denial of integration.

Mrs. Mathews finds suddenly what many a native Deep Southerner long ago found on going North for one reason or another—say to Harvard, Yale of Princeton, as many Southerners do. That is that a Southern white in certain situations can get along well with Negroes academically or intellectually, perhaps professionally, on the same plane. You can go into office after office in Atlanta or Birmingham and discover man after man who sat in the same classroom with Negroes in the North and thought little of it, at least in time. And man after man from these two cities regularly makes business trips North during which he rides unsegregated. It is true that when he gets North, he finds in restaurants, hotels and so on a firm pattern of segregation. Our point is obvious: That while talking of a basis for mixing in the South, Mrs. Mathews doesn't refer to the factors which make for segregation anywhere, including the North.

The reaction against integration in the Deep South is not always uniformly based on the same mental or emotional processes. There are plenty of Southerners who would be willing to eat in the same dining room elsewhere with Negroes, if that happened to be the local pattern. But they would not do so hereabouts because it is not the pattern and the overwhelming majority declares that it shall not be. In reality, the majority similarly declares in the North.

Mrs. Mathews is guilty of an intellectual approach which has a certain objective and consequence. But it neglects factors of educational and social levels in the North as well as in the Deep South—levels which as far up as New York have brought white protests against mixing; certainly the Washington experiment has borne this out.

We are, here in the Deep South, a very long way from acceptance of integration, if ever it is accepted. The pattern is deeply ingrained. The hard fact is that on the whole Negro social and other conditions are such as to make mixing absolutely unthinkable to virtually all Deep South whites. Even the handful who might personally not object if mixing were not thorough and heavy, realize that practically speaking it would not work to the mutual advantage of the two races.

Negroes who will think seriously about this will realize that whatever technical gains federal courts may grant, the Southern condition does not now permit of general mixing to mutual benefit. The Southern Negro has seen segregation law after law go off the books. He is unsegregated in many activities. But the basic condition remains and long will remain.

In the period ahead, Negroes have much more to do to achieve for their people an adequate sense of individual responsibility, a full life and economic success. Application to this and toward better education, through separation, will win whites' enthusiastic support. But agitation for prompt mixing, aided by those chopping political wood in Northern cities, will lead only to error and even terror. Let us be peaceable and continue as thus far we have made our way. White and black in the South have much to do that is achievable. The admonition of Booker T. Washington is still of value.

COULD KILL UNIT SYSTEM

# Georgia Political Power Rests On School Mixing

ATLANTA (AP) — The developing crisis over segregation in Georgia public schools may affect the 1962 governor's race and the state's traditional county unit system.

Mayor William Hartsfield of Atlanta said Sunday the stand taken by James S. Peters indicates the destiny of political power in the state rides on open schools.

Peters, chairman of the State Board of Education and a veteran political figure, predicted eventual integration in a letter to segregationist and politician Roy Harris of Augusta.

**FLURRY OF COMMENT**

The letter, published in the Sunday Atlanta Journal and Constitution, caused a flurry of comment. Harris said the ideas expressed in the letter indicated "Peters' usefulness as chairman . . . is over."

Peters said in the letter that closing public schools might spell political doom for Sen. Herman Talmadge (D-Ga.) and also might return Ellis Arnall to the governor's office.

Hartsfield said Peters knows closing of the schools would force the 1962 governor's race into the general election.

If that happens, the mayor predicted, "the Talmadge Democrats would lose . . . and it would be the last election ever conducted under the county unit system. When the county unit system goes, Talmadge is in real trouble."

The county unit system applies only in the Democratic primary and not in the general election in Georgia.

**SYSTEM OUTLINED**

Several of the largest of the state's 159 counties get six unit votes. The smallest counties get two. Thus three small counties with only a fraction of the population of one big county can equal the big county's vote.

Talmadge declined comment on Peters' letter but restated his position on school integration. "I am unalterably opposed to mixing the races in the schools of Georgia. I shall continue to resist such efforts by every available, lawful means," he said.

But A. C. Latimer, president of the Atlanta Board of Education, said "Peters is dedicated to education and at the same time is a realist. If the schools were to be closed it would certainly be a powerful political platform to campaign on the stand of opening them again."

**ON TV PANEL**

Latimer made the comment during an appearance on an Atlanta television panel. He also said there is growing support for keeping the schools open as the public becomes "more and more aware" of the possibiliyt of their closing.

Arnall, a former governor and a long-time foe of the Talmadge faction, said last June he plans to run for governor in 1962 if the schools are closed and there is no prospect of their being re-opened.

Hartsfield said if the schools are closed "some candidate is going to come out for opening the schools. They'll mob the courthouse in this county to register."

The mayor also said "an outraged people will not submit to any decision on such an important personal problem on any county unit basis."

From his home in Manchester, Peters—who earlier had appeared upset over release of the letter—reported he was besieged Sunday by calls about the letter. "They were all favorable but one," he said.

Lt. Gov. Garland Byrd said Peters and Harris had a right to express their views and opinions on all matters of public interest. "I will defend their right and the right of every Georgian to express their views," he said.

In another development, the Atlanta Constitution reported Harris would be named to the Board of Regents by Gov. Ernest Vandiver.

Harris, an Augusta lawyer, said "no man should head the state school system who holds the ideas" expressed in Peters' letter.

Disclosure of the text of the letter, dated Dec. 30, came a few days after Vandiver confirmed reports he would sponsor a constitutional amendment to add five members to the 10-member education board.

**HEADED FOR RACE**

Saying the issue is headed for the 1962 governor's race, the letter declared that "Ellis and the pro-

# Value of a Segregation Poll

The Atlanta Constitution Atlanta, Ga.

# Doubtful, Say Floor Leaders

Sat. 1-16-60

Administration floor leaders in the House and Senate expressed doubt Friday about the value of conducting a straw vote on the school segregation question.

A statewide poll to be used for guidance by the legislature was

*(Georgia churchwomen of all faiths plead for open schools. Story on Page 6.)*

suggested Thursday by Rep. Culver Kidd of Baldwin County.

"I frankly don't think it would prove anything," Senate Floor Leader Bob Culpepper of Camilla declared.

"Ninety per cent or more of

By BRUCE GALPHIN

the people of Georgia already approve the position the governor has taken," he added.

(Gov. Vandiver in his state of the state address Monday said he would recommend no changes in the present laws, which require closing any school ordered integrated.)

House Floor Leader Frank Twitty, also of Camilla, commented: "I don't think it's necessary to have a straw vote. I think 90 to 95 per cent of the people support the governor.

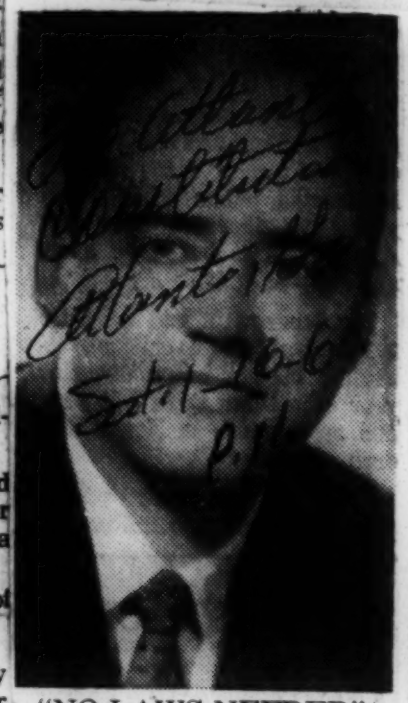
"Since nothing would be binding and since we already know how the public feels, what's the point in having a vote?" Twitty asked.

But he suggested that a straw vote in Fulton County might surprise some Atlantans who are pushing for local option.

"If they're going to have one at all, they might have one in Fulton County and let the officials up there know how the people really feel," Twitty declared.

Both floor leaders were speaking their personal convictions. Gov. Vandiver, quail-shooting in Dougherty County, was not available for comment.

Lt. Gov. Garland Byrd meanwhile said he knew of no new laws needed at this session to preserve segregated schools. He predicted none would be adopted at this session.



"NO LAWS NEEDED"
*Lt. Gov. Byrd*

The idea of polling the voters on an important issue is not new, however.

At the request of former Gov. Herman Talmadge, the 1949 legislature authorized a special referendum on the question of levying additional taxes.

Talmadge had recently won the governorship in a special election over Acting Gov. M. E. Thompson. Talmadge said new funds were needed if state services were to be expanded but legislative leaders feared political disaster if taxes were raised.

The poll, conducted April 5, 1949, ran overwhelmingly against new taxes—225,268 to 77,819.

Nonetheless, Talmadge two months later called an extraordinary session of the General Assembly and pushed through $23 million in new levies.

# Another Ga. Town Asked to Integrate

The Pittsburgh Courier Pittsburgh Pa

(Courier Press Service)

MARIETTA, Ga. — Desegregation of public schools in this city and Cobb County, of which it is the county seat, was asked last week by the Marietta-Cobb County branch of the NAACP. It made the third Georgia town in which school desegregation has been asked. Atlanta and Savannah are the others.

The NAACP request was in letter form, signed by J. L. Hutson, president, the Rev. J. W. Cook, secretary, and Mrs. Elsie Dinsmore, treasurer. It asked the board of education of Marietta and Cobb County to come up with a plan for desegregation, hoping this could be done before the current term of the General Assembly adjourns.

The request said Negro pupils had to pass white schools to get to their jim crow schools. Also that 125 county children attend the Negro Lemon High School in the city. The county has no Negro high school. The city has eight white elementary schools and one Negro school. The boards say they are studying the proposals.

# Kidd Asks Poll On Segregation

The Atlanta Constitution Atlanta Ga. 1-10-60

By BRUCE GALPHIN

Rep. Culver Kidd Thursday proposed a statewide straw vote on the school segregation issue.

"I think the members of the General Assembly want to know what the people of Georgia want," the Baldwin County lawmaker said. "I don't think we're getting a clear picture now."

Kidd said the referendum should include such alternatives as local option, pupil placement, private schools or closed schools.

"Whatever they voted for, the governor and the legislature could have the speaking of the people," Kidd asserted.

He said he did not know yet whether the straw vote should be conducted in the general election or the Democratic primary.

Legislative counsel Frank Edwards is checking legal points and will have a report on Monday, he said.

If the vote were conducted before the general election, there might be time for the General Assembly in special session to present constitutional amendments to the people on the question, Kidd said.

The Baldwin solon said he had mentioned the straw vote idea to a group of Milledgeville teachers and civic leaders last Sunday.

"When the governor came out in his state of the state message (with a policy of sticking with present laws), I dropped the idea for the time being," Kidd said.

"Before the session, almost everyone I talked to wanted schools segregated at any cost. Now that has been reversed.

"In the past three days I have received about 75 letters and telegrams from people, mostly in Baldwin County, wanting to keep the schools open," he continued.

"We haven't polled our people since 1954," Kidd said. "I think it would give the legislature a good idea of what the people want."

Kidd said he didn't want a binding referendum and didn't think one could be presented legally. The vote should merely serve as guidance to the Assembly and governor, he added.

Kidd is not the only legislator receiving heavy mail on both sides of the question.

Many of the lawmakers report receiving form letters signed by local constituents in favor of closing schools if necessary.

Groups and persons favoring local control also have been bombarding the legislature in its first week.

# Georgians Face Racial Question

The Montgomery Advertiser
Montgomery, Ala.
Jan. 10-60
p. 3

ATLANTA (UPI) — One of the big riddles of the Georgia Legislature which convenes Monday is how, when and if the session will do anything about the Atlanta school integration situation.

For years the legislature has piled laws on top of laws in an effort to postpone or prevent forever the breakdown of segregation customs in the schools. A federal court has ordered this practice stopped for Atlanta schools.

In view of the reality of the court decision, is there a chance the Legislature will relax its rigid stand and permit at least token integration in Georgia? If it doesn't, what will the courts do about it?

It's anybody's guess as to the outcome in this clash between Georgia law that says schools shall not be integrated, federal decisions that say segregation cannot be continued and an Atlanta pupil placement plan that proposes to assign pupils without regard to race or color.

**NEGROES WON SUIT**

Here is the chronology of events that brings the Atlanta school case front and center before the Legislature:

Negro parents sued in federal court to have their children admitted to schools without regard to race or color.

Judge Frank Hooper, after a non-jury trial, ordered segregated school practices abandoned in Atlanta but did not specifically order integration. He directed the Atlanta School Board, defendant in the suit, to produce a compliance plan by Dec. 1.

The board adopted a pupil placement plan setting up numerous factors other than race for admission of pupils. They include psychological and emotional conditions and effect of admissions on peace and good will in the community. Hooper is expected to approve the plan.

The federal jurist and the school board agree that, without some change in present laws, no public school in the state can permit any form of integration.

A key public figure in all this controversy is Gov. Ernest Vandiver. He says he has a "mandate" from the people to preserve segregation. Has he changed on this in the light of developments since his campaign two years ago?

**MAJOR ADDRESS MONDAY**

The first tipoff on Vandiver's present thinking may come in his address Monday to a joint session of the Legislature. Reports are that the governor will not ask for any new segregation legislation. The question is whether he will ask for a relaxation of present racial laws.

Legislators who believe something must be done to leave the gate open for Atlanta to desegregate schools will also take heart if Vandiver keeps quiet altogether on the school case. They will take this to mean the governor is going to let the issue run its course in the Legislature without stepping into it personally.

The most significant development in sight now is a measure being drafted by Rep. James A. Mackay of DeKalb County, which extends into Atlanta. His "parents' choice amendment" would not change present law but would permit them to be applied in the closing of a public school only if approved by a majority of the registered voters who are parents of the children involved.

Mackay expects to introduce his measure about the second week of the session. He has received strong support throughout the state. In the beginning, he did not believe the plan had a chance to reach the floor. He is becoming more optimistic now that it will.

There is also strong legislative feeling that no laws are needed to implement the Atlanta school plan. This is based on the proposition that Atlanta already has inherent powers to operate schools without legislative direction.

The final big question of the big debate is this: What will Hooper do if the legislature fails to act? The jurist has said he will not cross that bridge now. He has indicated he will be lenient as long as some move is made to comply with his orders.

One avenue open to Hooper would be to order the Atlanta plan into effect and await results. Should a Negro then be admitted to a white school and should the school then be closed under state law, the judge might order state officials, including the governor, into court to show cause why they should not be held in contempt for thwarting a federal court order.

# Capitol Besieged By School Petitions

The Atlanta Constitution
Atlanta, Ga.
Jan. 12-60
p. 14

Georgia's legislators, faced in the 1960 Legislature session with solving Atlanta's pending school integration question, were besieged Monday with petitions urging continued segregated schools

Some legislators, among them Fayette Rep. Huddleston and DeKalb Rep. McWhorter, received several hundred mimeographed petitions in a single mail—many signed by school teachers—urging them not to to "let our children down" on segregation.

There were several forms of the petitions. One said the petitioner, "as a Christian," knows that the Lord "wanted the races segregated."

**APPEAL TO ASSEMBLY**

A second form—many of them signed by the same persons who signed the "Christian" forms—appealed to legislators by listing the petitioner as "a registered voter."

Rep. Huddleston got a bunch which were addressed directly to him, with a blank space left for the name of the petitioner's county of residence.

These declared, "We will not tolerate integration (sic), in any degree.

"There are only two sides, segregation or integration (sic), there is no such thing as partial or token integration (sic). Integration (sic) is integration (sic), if there is only one Negro mixed with 10 thousand whites."

**LET 'EM KNOW**

These asked Huddleston to let the governor, the newspapers and all other sources know "that people of ——— county will accept nothing but segregated schools."

Huddleston said he believes Fayette voters "are serious about it."

The petitions also pledged electoral support for the legislators "if they fight for our children and grandchildren now."

**BROWN GETS 12-14**

Fulton Sen. Charlie Brown got 12-14 of the petitions in the first day's mail. They were of the "Christian" and "registered voter type."

Fulton Rep. M. M. (Muggsy) Smith, an outspoken advocate of open schools, said he had "gotten a few" such petitions the first day. Rep. Wilson Brooks said he "got a bunch" of them.

DeKalb Rep. James A. Mackay and McWhorter said except for the "canned petitions," public sentiment on the delegation's stand for open schools has been "overwhelmingly" in their favor.

**McWHORTER LETTERS**

McWhorter said he has been receiving 10 to 20 letters per day for 30 days on the school question and only two of them were against the delegation's position.

The DeKalb legislator said he had checked the names signed to the mimeographed petitions and could find only a few of them in the telephone book.

"I don't consider anything like that," he declared.

Mackay said public sentiment also was in favor of his proposed "parents' choice amendment" which would give affected parents the right to vote whether they wanted their school closed.

DeKalb Rep. W. Guy Rutland Jr. declared that either Mackay's plan must gain support from the rest of the state or the idea of a segregation law study commission would gain favor.

And Rutland said he didn't think the latter would satisfy the federal court which gave the Legislature time to implement the court's Atlanta school desegregation order.

Also on the desks of legislators Monday was a mimeographed letter from HOPE, Inc., the Atlanta group pushing for open public schools. The letter told legislators that the decision of keeping public schools of Georgia open "is in your hands."

# McGill Fears Ga. Schools Will Be Closed

Atlanta Daily World
Atlanta, Ga.
1-14-60
p. 1

CHARLESTON, W. Va. — (UPI) — An Atlanta newspaper editor predicted here that Georgia's public schools will be closed if any attempt is made to force them to obey a federal court order to integrate.

Ralph McGill, editor of the Atlanta Constitution, called it "the most tragic thing imaginable, that can be contemplated." He made the statement while here for a speaking engagement.

In an interview published Tuesday in the Charleston Gazette, McGill said "Even though I've lived all my life there in Georgia I can't understand .... members of the Legislature allowing a thing like this to happen because they want to save their own face — their own position."

Atlanta schools have been ordered to integrate by a federal court but the Georgia Legislature has voted to immediately halt state aid to any school that accepts a Negro pupil.

"You can see that they're in an almost impossible dilemma,' McGill said. "And it's not only the children who are going to suffer. It's the whole future of the South.

"Isn't this a recurrence of what we had after the Civil War? Only the North was responsible for disrupting the South the last time, and now the South is disrupting itself."

# Georgians Face Racial Question

ATLANTA (UPI) — One of the big riddles of the Georgia Legislature which convenes Monday is how, when and if the session will do anything about the Atlanta school integration situation.

For years the Legislature has piled laws on top of laws in an effort to postpone or prevent forever the breakdown of segregation customs in the schools. A federal court has ordered this practice to open for Atlanta schools.

In view of the reality of the court decision, is there a chance the Legislature will relax its rigid stand and permit at least token integration in Georgia? If it doesn't, what will the courts do about it?

It's anybody's guess as to the outcome in this clash between Georgia law that says schools shall not be integrated, federal decisions that say segregation cannot be continued and an Atlanta pupil placement plan that proposes to assign pupils without regard to race or color.

**NEGROES WON SUIT**

Here is the chronology of events that brings the Atlanta school case front and center before the Legislature:

Negro parents sued in federal court to have their children admitted to schools without regard to race or color.

Judge Frank Hooper, after a non-jury trial, ordered segregated school practices abandoned in Atlanta but did not specifically order integration. He directed the Atlanta School Board, defendant in the suit, to produce a compliance plan by Dec. 1.

The board adopted a pupil placement plan setting up numerous factors other than race for admission of pupils. They include psychological and emotional conditions and effect of admissions on peace and good will in the community. Hooper is expected to approve the plan.

The federal jurist and the school board agree that, without some change in present laws, no public school in the state can permit any form of integration.

A key public figure in all this controversy is Gov. Ernest Vandiver. He says he has a "mandate" from the people to preserve segregation. Has he changed on this in the light of developments since his campaign two years ago?

**MAJOR ADDRESS MONDAY**

The first tipoff on Vandiver's present thinking may come in his address Monday to a joint session of the Legislature. Reports are that the governor will not ask for any new segregation legislation. The question is whether he will ask for a relaxation of present racial laws.

Legislators who believe something must be done to leave the gate open for Atlanta to desegregate schools will also take heart if Vandiver keeps quiet altogether on the school case. They will take this to mean the governor is going to let the issue run its course in the Legislature without stepping into it personally.

The most significant development in sight now is a measure being drafted by Rep. James A. Mackay of DeKalb County, which extends into Atlanta. His "parents' choice amendment" would not change present law but would permit them to be applied in the closing of a public school only if approved by a majority of the registered voters who are parents of the children involved.

Mackay expects to introduce his measure about the second week of the session. He has received strong support throughout the state. In the beginning, he did not believe the plan had a chance to reach the floor. He is becoming more optimistic now that it will.

There is also strong legislative feeling that no laws are needed to implement the Atlanta school plan. This is based on the proposition that Atlanta already has inherent powers to operate schools without legislative direction.

The final big question of the big debate is this: What will Hooper do if the legislature fails to act? The jurist has said he will not cross that bridge now. He has indicated he will be lenient as long as some move is made to comply with his orders.

One avenue open to Hooper would be to order the Atlanta plan into effect and await results. Should a Negro then be admitted to a white school and should the school then be closed under state law, the judge might order state officials, including the governor, into court to show cause why they should not be held in contempt for thwarting a federal court order.

# Pupil Placement Shunned As Constitutional Conflict

Georgia's legislature is not going to make any moves to end segregation in public schools, two administration leaders indicated Sunday.

Rep. Frank Twitty of Camilla and Sen. Carl Sanders of Augusta appeared on Press Gallery, a television program sponsored this week by The Constitution.

"There is no way the legislature can pass any kind of pupil placement law without being in conflict with Georgia's constitution," Rep. Twitty said. "It takes action of the people to change the constitution."

**SPEAKS OF TAXES**

"No taxes can be levied for anything but segregated schools," Sen. Sanders said. "The constitution can be changed only in public referendum."

Sen. Sanders said earlier on the program that it looked like "federal judges are striving to do away with public education in Georgia."

Rep. Twitty said that the Supreme Court decision was five years old and "we are still having to build schools. We are not going backwards and we will still provide education for our children."

Rep. Twitty predicted that there would be action in the legislature to amend the constitution amendment which stipulates that gasoline taxes and license fees be used only for road work in Georgia. (This amendment becomes effective every time the legislature passes any new appropriations bill.)

**LAWMAKERS AGREE**

"If we can get the amendment to the amendment through, we could have a new appropriations bill next year (1961)," Rep. Twitty said.

Both Twitty and Sanders agreed that the act of appropriating state money belongs in the hands of the legislature and that an appropriations bill should be passed each year.

Discussing the up-coming REA bill—expected to be one of the points of controversy in the new legislature—Rep. Twitty said he believed the matter could be settled by compromise.

(Rural Electrification co-ops want to continue serving customers on their lines after these customers have been taken into the city limits of municipalities. The municipalities want the right to serve these customers under existing city franchises.)

"Perhaps the answer would be to leave the lines now in existence where they are, but have no further expansion," Rep. Twitty said.

Twitty and Sanders did not put any dollarmark figure on the building program which the governor is expected to ask for in his speech to the legislature Monday. However, they explained that the issuance of bonds for construction of schools and other buildings is a different story from the issuance of bonds for the construction of rural roads.

"If you build a road that will last only five years and issue bonds that will take 16 years to repay to pay for that road, it is not good business," Sen. Sanders said. "However, a building can last for a hundred or more years and will be here long after the bonds are retired."

**FOREFRONT OF FIGHT**

Both lawmakers were in the forefront of the fight to defeat former Governor Marvin Griffin's efforts to issue bonds to construct rural roads.

Both predicted passage of the "withholding bill"—an act which would permit the collection of state income taxes by payroll deductions.

"This is no new tax, but it is a method of collection which would bring additional revenue into the state treasury," Rep. Twitty said. "Some have advocated another penny sales tax, but to my way of thinking this would not be fair. We are not going to have any tax increase this session of the legislature."

Rep. Twitty also predicted that money will be available for the proposed program of mental health without the necessity of putting a tax on soft drinks as has been proposed.

**LAUD GOVERNOR**

Both men were high in their praise of Ernest Vandiver's first year in office as governor.

"Gov. Vandiver has restored the faith of the people in state government, just as he said he would," Rep. Twitty said.

The lawmakers were questioned by George Boswell, associate editor of The Constitution, and Bruce Galphin, political writer. Ralph McGill, editor, acted as moderator.

# School Mixing Out, Vandiver Tells Session

ATLANTA (AP) — Segregated schools will continued in Georgia —or the children will be turned away by closed doors—if the reaction of the General Assembly Monday is an indication.

Time after time the legislators interrupted Gov. Ernest Vandiver's State of the State message to an opening session Monday, but they yelled, whistled and prolonged their hand - clapping when he said his administration is dedicated to segregated schools.

The only criticism came from Atlanta legislators. Their schools are under orders from a federal court to work out a plan for integration and several have bills ready for introduction which would strike down Georgia's stringent anti-integration measures.

**OPEN CONFLICT**

Vandiver said the state is moving "closer and closer to the threat of open conflict between federal authority and state authority over operation of Georgia's public schools."

He said no one wants a head-on collision, that it can be avoided if the races will work "in harmony and voluntarily under our traditional pattern of segregation."

Vandiver declared that "if those who are agitating so vigorously and so vicoferously for mixed schools, would join us and would work just as vigorously for separate schools, we would have segregated education in Georgia without any conflict."

He pointed out that the Constitution and laws of the state require that state funds be shut off to any school ordered by the courts to integrate.

"Let us hope," he said, "that the NAACP will not force the closing of a single school in Georgia."

**'MY DUTY'**

Vandiver added, however, that if integration is pushed, "it is my duty to—and I will—uphold the constitution and laws of Georgia."

He said his administration is "going to resist again and again and again. . .we will exhaust every legal means and remedy available to us."

Vandiver asked the Legislature for authority to increase the state budget to $392 million for the 1960-61 fiscal year—if the money is available.

While exact details were not spelled out, he requested authority to increase spending approximately 42 millions a year to provide a $200 a year salary increase for school teachers, additional funds for mental health roads and other services, and finance a $102 million construction program of schools, hospitals ports and prisons.

He told the Legislature the proposals "will be financed, as far as possible, within the limitation of current income and whatever surplus may be accumulated between now and July 1."

# School Integration

# To Let Legislature Act

## Officials In Atlanta Are Pleased

### Latimer, Mayor Prod Assembly

By TED LIPPMAN

Public school officials in the Atlanta area were pleased and somewhat encouraged by Federal Judge Frank Hooper's ruling Monday that gives the city's board of education until 1961 to desegregate its schools.

A. C. (Pete) Latimer, chairman of the Atlanta board, a defendant in the suit, said, "We, of course, are gratified that Judge Hooper saw fit to allow us until September of 1961 before the plan is made operative.

**CITES NEW CHIEF**

"This is particularly true inasmuch as we have a new superintendent coming into Atlanta. We would hope the General Assembly would pass such laws as will allow us to continue the uninterrupted operation of our schools."

The reference to a new superintendent was to Dr. John Letson, formerly of Chattanooga, Tenn. He will succeed Miss Ira Jarrell July 1.

Dr. Letson was in Atlanta Monday for a night meeting of the board of Education. He could not be reached for comment. Miss Jarrell declined to comment.

**MAYOR APPEALS**

Mayor Hartsfield said, "I sincerely hope our state leaders and the Legislature will take steps to save public education in our state."

The federal judge's decision puts the school situation in the middle of city politics as well as state. September 1961, the date schools are now expected either to close or be integrated, is when the city's primary election for mayor, aldermen and school board members will be held.

Paul West, superintendent of the Fulton County school system, called the ruling "fortunate." He expressed pleasure at the extra time afforded by the ruling for study of the General Assembly Committee on Schools' reports. His statement:

"It is fortunate for the citizens of Georgia that the ruling of Judge Frank Hooper today makes possible additional time for the study and evaluation of the Sibley Commission report. The delay of one year granted to the Atlanta Board of Education will make it possible for a newly elected Legislature to face squarely the issue concerning the continuity of the operation of public schools in Georgia."

**CHERRY HOPEFUL**

Jim Cherry, DeKalb County school superintendent, saw the ruling as an opportunity for Georgia to resolve its legal dilemma.

"I feel that the Hooper ruling gives the representatives of the people of Georgia time and opportunity to resolve the conflict between state and federal court rulings," he said. "If the General Assembly will provide for local option and parent choice, I believe that public schools can continue to operate without interruption."

Parent choice is an idea that has been urged as a solution to the desegregation problem by DeKalb legislators. It was incorporated in the Sibley Commission majority report.

John Sibley, the Atlanta banker who headed the study committee on the school issue, received the news of Judge Hooper's ruling in a hospital room in Marietta. He was injured in an automobile crash Saturday.

**'PRIVATE CITIZEN'**

"I think probably it wouldn't be proper for me to comment" on the ruling, he said. He said he was now a private citizen again. The General Assembly specified that the study committee would cease to exist as soon as its report was made to the presiding officers of the state House and Senate.

Here are excerpts from statements issued by civic and professional groups in Atlanta:

"Judge Hooper's ruling setting May 5, 1961, as the effective date for implementing the Atlanta plan for desegregation of the schools offers a compromise between those who want action now and those who want no action at all. It offers an opportunity for the Georgia Legislature—a 'last chance'—to enact a gradual plan for desegregation." — League of Women Voters of Georgia.

**PEOPLE'S CHOICE?**

"Whether or not the schools close depends on the election of state legislators committed to uninterrupted public education in compliance with the Supreme Court decision. This final reprieve, in Judge Hooper's own words, will 'give the Georgia legislature an opportunity to pass some law . . . which will permit the people of Georgia, when integration comes, to operate some gradual plan so that the school system will not be thrown into chaos'."—Help Our Public Education (HOPE).

"We regret the decision. . . . Experience in cities where desegregation has already occurred indicates that the period of transition has been most smooth and peaceful when decisions have been firm, forthright and prompt. Continued public debate on a matter which is undebatable, namely obedience to the law, can only lead to more confusion, disruption and uncertainty."—Greater Atlanta Council on Human Relations.

## School Ruling: What It Means

Here is what happened:

U.S. Judge Frank Hooper ruled that desegregation will begin in Atlanta in 1961—the 12th and 11th grades.

This would permit the General Assembly to change laws forbidding integration when it meets in January, 1961.

Local officials expressed pleasure with the ruling. Some State officials indicated they did not think any laws will be changed. Negro organizations said they were disappointed at the ruling. Negro attorneys were not certain they will appeal, however.

## 11th Grade Added to His Ruling

### Fixes May 1 Date; No Appeal Planned

By JACK KAPLAN

U.S. District Judge Frank A. Hooper delayed desegregation of Atlanta's public schools Monday until 1961, thus giving Georgia a "last chance" to save its public school system.

In overruling a Negro attorney's motion that he order the Atlanta Board of Education to begin operation of its school desegregation plan this year, Judge Hooper pinned his hopes for open schools on next year's General Assembly.

The judge's formal ruling, handed down Monday afternoon, set for the first time a flat compliance date for the order—May 1, 1961.

This means that under his ruling no integration would be possible until the beginning of the fall term of 1961. Under the Atlanta plan, applications for transfer must be made between May 1 and May 15 prior to the September when transfer is desired.

*Text of Judge Hooper's statement and order on Page 12.*

**ADDS GRADE**

Because of the delay, the judge also modified the plan so that the 11th as well as the 12th grades would be desegregated in May 1961. This action will allow the plan to be completed in the length of time originally scheduled.

Negro attorneys said at first they would appeal, but changed their minds after an afternoon conference with Judge Hooper. The judge wrote a brief order so that if they should decide to appeal they may do so as rapidly as possible. He said a more complete opinion would be entered later.

**COULD BE EARLIER?**

Mrs. Constance Motley, NAACP attorney from New York, said after the conference that she was not sure the decision will be appealed.

She said it is conceivable that an appeal could get before the Fifth Circuit U.S. Court of Appeals in New Orleans before September and in time to change Judge Hooper's ruling if it so desired.

In a long off-the-cuff statement, Judge Hooper explained that the new order is not contingent on the 1961 Legislature. It will go into effect regardless of what action—or inaction—that body may take.

He did express the hope, however, that new legislators not bound by segregation-at-all-costs platforms, could modify Georgia's laws so that schools would not have to shut down. He said he wanted a solution "without chaos" in Georgia and that such a solution could be accomplished by next year's Legislature through pupil assignment and freedom-of-choice laws.

**FAVORED BY BOARD**

Such statutes have been recommended by the Atlanta School Board and the recent Sibley Committee.

The Sibley report mentioned a constitutional amendment to relieve the problem, but Hooper did not consider it because it would call for a vote by the citizens and no such vote could be taken until September, 1962.

Mrs. Motley argued that the duty of the court is to carry out the mandates of the Supreme Court and the circuit courts. She said that the possibility of withdrawal of state funds and subsequent closing of the schools did not enter into the question.

"If and when the Georgia laws closing the schools are invoked,

then there are sufficient remedies available through the federal courts," she said. "If no such remedies were available, then one would hesitate to go ahead. But the remedies are there."

**PUTS IT TO ASSEMBLY**

Mrs. Motley said that if the schools were closed it would not be the fault of the District Court, the plaintiffs or the defendants, but the Georgia Legislature.

"If the schools close, then some students and teachers may suffer, but that responsibility will be on the Georgia Legislature. That is the price that must be paid for the 'new order'."

Judge Hooper noted that public sentiment is changing swiftly in the state. He said a new legislature, whose candidates are now campaigning at the grass roots, might have a different attitude than the present group.

He said, "A lot of things have happened since the last Legislature was elected." He mentioned rulings and plans in Mississippi, Alabama, South and North Carolina and Virginia.

The judge noted that the Sibley committee reported Georgia's citizens voted 3-2 against integration. He said if the poll had been taken a year ago the count would have been 5-0 with no chance for "give."

# Legislature Expected to Stand Pat

By BRUCE GALPHIN

Top political figures dashed cold water Monday on hopes that the 1961 General Assembly will enact legislation to avert school closings.

James S. Peters, chairman of the State Board of Education and patriarch of Georgia politicians, predicted the issue will have to "be fought out in the 1962 primary and probably general elections."

Gov. Vandiver in a prepared statement said the matter now is squarely in the lap of the 1961 Legislature.

**HOLD-THE-LINE**

But the floor leaders of the 1959-60 House and Senate predicted the 1961 Assembly will take about the same course as this year's hold-the-line session.

And State School Supt. Claude Purcell, who served on the Sibley Committee, said he sees little chance for a solution until schools have been closed and existing laws tested.

U.S. District Court Judge Frank Hooper made it clear that the 1961 Assembly has sole power to avert school closings.

He ordered the integration plan to go into effect at the end of 12 months no matter what the Legislature does.

This is their "last chance" to find "a solution without chaos," the judge declared.

Rep. Frank Twitty, House floor leader, said the opinions of the great majority of legislators "will be in accordance with the will of their people."

**121 COUNTIES OPPOSE**

Twitty said the Sibley report indicated majorities in some 121 counties oppose any integration.

Senate Floor Leader Robert Culpepper, retiring under the Senate rotation system, said he does not think "there will be any substantial change in legislative thinking."

Both floor leaders doubted the matter will be a political issue in the 1960 legislative races because of the preponderance of pro-segregation feeling.

Culpepper added it might be an issue in "the metropolitan areas and farther north where there aren't any Negroes."

Purcell likewise predicted "the General Assembly through the county unit system (will not) adopt the constitutional amendments proposed by the Sibley committee."

**PETERS' VIEW**

In predicting the issue will be thrashed out in the 1962 races, Peters returned to the theme he first stated in a letter to Augusta politician Roy Harris.

At that time Peters warned that Georgia must choose between limited integration and closed schools.

And he predicted that closing schools would result in a political revolution which would shake the Talmadge organization out of power.

Peters made a great point Monday of referring to the 1962 general election.

He at first said the issue might "possibly" be fought out in the general election. He then changed the word to "probably."

Although Peters would not expand on his remark, he apparently meant that an open-schools candidate might run on an independent ticket.

**ELLIS ARNALL**

The man Peters previously had named as the greatest threat to the Talmadge organization, former Gov. Ellis Arnall, had this to say Monday:

"There is still time to save our schools. Our state political leadership should declare itself on the side of the boys and girls of Georgia. Not a single school should be permitted to close for a single day.

"The school crisis must be resolved in favor of open schools and continuing public education. I have supreme confidence that this will be the decision of the people of our state."

Former Gov. Marvin Griffin, considered a likely 1962 candidate on the other side of the issue, was not available for comment.

Lt. Gov. Byrd was out of the state and likewise unavailable.

**GOV VANDIVER**

Vandiver's statement said:

"Apparently the matter addresses itself to the 1961 General Assembly.

"Members of the forthcoming Legislature now being elected will have presented to them for decision some of the most vexing and fateful problems ever to confront modern-day Georgians. I am confident the people will elect to the Assembly men who are equal to the task before them.

"Let me re-emphasize the imperative need for unity among our people. Let me reaffirm the necessity that all of us apply our energies toward constructive pursuits, developing our state, its resources and her people to the realization of a better future.

"The potential which we enjoy in Georgia for further greatness is unlimited.

"It cannot be achieved through division and disruption.

"It can be achieved by Georgians working together for public, segregated schools on a voluntary basis.

"It can be achieved by Georgians working in unison toward common goals and with mutually helpful objectives.

"I urge every citizen of this state to use every influence to promote harmony and to work to prevent from developing here tensions and conflicts which could only lead to tragic results—regrettable to all and helpful to none."

# Georgia Has Year To Reach Decision

The decision by Negro attorneys not to appeal Federal Judge Hooper's ruling that Atlanta's school desegregation plan will go into effect in May, 1961, means several things.

First of all it sets a definite date from which the judge has said there will be no deviation. In other words, the Atlanta plan—which has been accepted by the court—must be implemented with the beginning of the September, 1961, school term. Under the judge's order, the plan will go into effect with or without action by the General Assembly.

Should the Assembly fail to take action along the lines suggested by the judge and should any Atlanta schools be ordered to admit Negro pupils, under present state laws those schools would be closed. This the judge says would mean eventual closing of all schools in the state. This same conclusion has been reached by other groups, including the majority of the Sibley Study Commission.

There the situation stands and no amount of rationalizing, defiance or wishful thinking will change it. Some way must be found to continue public education within the framework of federal court decisions or we face abandonment of the system of public schools. That, too, is a conclusion of the Sibley group.

Judge Hooper has upheld his earlier stated belief in deliberation rather than speed but at the same time he makes it perfectly clear that 1961 will be the "last chance" for legislative action. He suggests that pupil placement and local option laws could be passed next January, notwithstanding present statutes and state constitutional provisions.

The Sibley Commission's "freedom of choice" plan offers a rational long-range program which could preserve public education while guaranteeing that no pupil would be forced to attend an integrated school. It also permits any community, which so desires, to close its public schools.

Georgians and their representatives in the Legislature thus have a year in which to make their decision. The Sibley group and Judge Hooper have made the alternatives clear. In the end there will be public education. But without wise leadership and sober deliberation there could be a disastrous period of closed schools.

Virginia and other states have adopted fair and moderate solutions and have retained public education. Georgia can do the same.

# Atlanta School Board Elects Dr. Letson To Four-Year Term

By JOEL W. SMITH

The Atlanta Board of Education Monday night unanimously elected Dr. John Walker Letson to a four-year term as superintendent of the Atlanta Public School System beginning on July 1.

Currently superintendent of Schools in Chattanooga, Dr. Letson will replace Dr. Ira Jarrell, who under Board rules is scheduled to retire as superintendent on that date. Dr. Jarrell took over as superintendent in 1944, replacing Dr. Willis A. Sutton.

This action by the Board followed a report of the Screening Committee, read by Oby T. Brewer, Jr., unanimously recommending Dr. Letson for the position.

**BOARD ADJOURNS AFTER ELECTION**

The election of the superintendent was the first order of business, after which the Board adjourned to reconvene for regular routine business at the call of President A. C. Latimer.

After the Board accepted the recommendation of the Screening Committee, President Latimer asked if there were other nominations before calling for the final vote.

In presenting the report of the Screening Committee, Mr. Brewer explained that the Board convened in a special session last April and after setting up criteria, standards and a plan of procedure, authorized a screening committee to be appointed by the president.

Quoting from the official minutes of the May 11 meeting he noted that the chairman, L. J. O'Callaghan, said the Committee realized that it had no authority to accept or reject anyone.

Mr. Brewer emphasized that the Screening Committee did not confine its search to persons within the system, nor did it confine its search to persons without the system. "It has sought the person best qualified under all of the standards and criteria set up by the Board for this high office," he said.

The Screening Committee based its recommendation of Dr. Letson on personal integrity, character, educational and professional preparation, successful experience, educational leadership and other standards set up by the Board, Mr. Brewer stated.

Members of the Screening Committee included: L. J. O'Callaghan, chairman; Glenn Frick, Oby T. Brewer, Jr., and A. C., Latimer, ex officio.

**COOK REQUESTS ROLL CALL VOTE**

Ed S. Cook requested a roll call vote, which gave the members an opportunity to explain their vote. Dr. Rufus E. Clement, who seconded the nomination of Dr. Letson along with Allen L. Chancey, Jr., said he had consulted several friends in the field of Education and they rated Dr. Letson very highly.

Mrs. Clifford N. Ragsdale said she regretted that nobody in the Atlanta Public School System was seriously considered for the position.

A native of Jasper, Ala., Dr. Letson was reared in Albertville, Ala. He received his bachelor's degree at Auburn and his master's and Ph.D. at Columbia University.

Prior to going to Chattanooga as superintendent of Schools in December, 1956, he served as superintendent of Schools in Bessemer, Ala., for eigh years. He had previously taught in Siluria and Coffeeville, Ala., and was principal in Coffeeville and Tuskegee, Ala.

school superintendent in Chattanooga, Tenn., who becomes superintendent of Atlanta schools July 1.

"There is a spirit about Atlanta. . .a spirit of progress, of building a big city," he said, which just about knocks out the possibility of a permanent breakdown in public education.

He also said he did not think private schools ever would work in a city the size of Atlanta.

Letson and A. C. Latimer, president of the Atlanta school board, were interviewed on a television program (WSB-TV's Press Gallery).

Asked about the impending school crisis, Latimer said: "I wouldn't want to predict what will happen. . .but I have high hopes that there will be no crisis before September of 1961."

He said he was confident public education would continue in Atlanta. "The vast majority of the thinking people are realists," he said. "They are sorry all this happened but they feel very strongly that public education must continue."

Atlanta public schools have been ordered to desegregate by a U. S. district court judge. But no date was set for implementation pending completion of a report by the state school study committee.

The committee held public hearings in the state's 10 congressional districts to determine how Georgians felt on the question. The group is slated to complete its report May 1.

# SCHOOLS MUST CONTINUE, VIEW

## Atlanta Leaders Believe Problem Will Be Solved

ATLANTA (AP)—Two school authorities predicted the Atlanta public school segregation-integration problem will be solved eventually.

"I believe Atlanta will not turn its back on progress," said Dr. John W. Letson, former

# Georgia Proposes Race Vote

ATLANTA — (AP) — An 11-8 majority of the State School Study Committee proposed Thursday that parents be allowed to decide by their votes whether their children are integrated, transferred or sent to private schools with state aid whereever and whenever the racial issue is forced in Georgia.

The minority urged that Georgians stand firm on their present laws banning integration. Further legislative action to implement tuition grant features of a private school plan was recommended.

**Gov. Ernest Vandiver said there would be no special session of the Legislature this year to consider the committee reports.**

Both majority and minority said there must be a constitutional guarantee that no Georgia child would be compelled against his will to attend school with a child of the opposite race. But that was the only point on which there was agreement.

The governor's statement that a specially convened legislative session to consider the problem would be fruitless dashed any prospects of a vote in the November general election on constitutional revision.

**Unless developments should change the situation, the Legislature next January will consider the reports and recommendations.**

Attorneys for 13 Negro children who have won a federal court ruling in Atlanta for school desegregation indicated the committee report would make no change in their plans to press for integration at the opening of the fall term in September.

Federal Judge Frank A. Hooper will determine May 9 whether to order the city's desegregation plan into effect in September or at a later date.

# Atlanta Bar Association Speaks For Open Schools

Atlanta Daily World Atlanta, Ga. Sat 4-16-60

The Atlanta Bar Assn. came out strongly Friday for keeping Georgia schools open, even if they are desegregated, and reminded the Sibley School Study Commission of a state law admitting the federal laws are "supreme."

The association reported in a letter to fellow lawyer John A. Sibley, chairman of the study group, that a poll of the lawyers brought this response:

1. For continuation of schools under some plan such as pupil placement permitting limited integration-462.

2. For discontinuation of the public school system when integration is ordered by the courts and turn to tuition grants - 125.

The lawyers argued that a 1944 Georgia law spells out that the "supreme law" of the state shall be the constitution and laws of the United States and that next in authority shall be the state laws. This 'order of preference" is essential in the maintenance of government in the U. S., the attorneys said.

On the school issue ,they said, the Supreme Court decisions must be controlling."

The letter to Sibley said it has become clear that unless some plan permitting limited integration is devised, all public schools will be closed and that the problem will be extended to elementary and high schools and colleges.

# Atlanta Bar Assn. Faces Up to Facts And Takes a Stand for Public Schools

The Atlanta Constitution Atlanta, Ga. Sat 4-16-60

The Atlanta Bar Assn. and its executive committee are to be highly commended for their decision to take a stand on the most vital issue now facing Georgia and this community. Because of the nature of the association and the quality of its membership, the action is significant and a public service of the highest order.

In a poll of membership, 462 lawyers expressed their preference about whether to continue public schools under some plan permitting limited integration or to discontinue public schools when integration is ordered and convert to a system of tuition grants for private schools. The latter is present Georgia law.

A total of 337 lawyers—73 per cent of those voting—decided for continuing public schools. Attorneys voting for closing public schools, 27 per cent, numbered 125.

According to President Asa W. Candler of the association, this was one of the heaviest responses to an association poll in recent history. It represented about 60 per cent of those eligible to vote under association rules. It thus provides a clear-cut decision and becomes the official stand of the association as presented to the Sibley study commission.

* * *

Even more significant is the statement by the majority of the association's executive committee on the legal aspects of the question brought on by the 1954 Supreme Court decision. And on this, the committee does not equivocate.

"Viewing this problem as lawyers," the committee said, "we see certain factors about which there should be no question." The statement continues:

"It is expressly provided in the Constitution of Georgia of 1945, Article XII, that the 'Supreme Law' of Georgia shall be the Constitution of the United States, the laws of the United States in pursuance thereof and all treaties made under the authority of the United States. Our State Constitution provides further that 'next in authority' shall be the State Constitution, and third, 'in subordination to the foregoing,' laws passed by the General Assembly. This order of precedence is essential to the federal system under which our nation is organized.

"It is likewise clear that the current decisions of the U.S. Supreme Court construing the Federal Constitution are controlling on this issue. They are, as they must necessarily be in our federal system, controlling on both state and federal courts and state and federal officials in construing the Federal Constitution.

"It is now clear that unless some plan involving the feasibility of limited integration is accepted in accordance with orders of the federal courts, all public schools of the state will be closed. The problem extends to elementary schools, high schools and the colleges and universities of our university system. It extends also to the public training of teachers for replacement in public and private schools throughout the state."

* * *

This illuminating statement of fact which states what the law is and not what many would like it to be should help clarify public confusion created by those who have tried to lead the people to believe that state law is supreme and that decisions of the U.S. Supreme Court are not necessarily binding.

These are not views which can be dismissed as those of extremists, of leftists, of newspapers or an individual. They are the considered majority opinion of one of the most responsible and able legal bodies in the nation. They know the time for wishful thinking is past and that facts must be faced.

If ever we needed to face facts, that time is now. Anger, frustration and demagoguery will not serve. Thoughtful citizens everywhere can but be grateful to the Atlanta Bar Assn. for making the alternatives perfectly clear.

* * *

tural and ethical values was in his home city of Chicago but his influence was national. The Constitution joins his great host of friends and admirers in sorrow at his passing.

# Private Schools Planned in Tifton

The Atlanta Constitution Atlanta, Ga. Sat. 4-16-60

TIFTON (AP)—A stand-by private school corporation was set up Friday as a move to guarantee segregated schools in Tift County.

Rep. Henry Bostick, one of the incorporators, said he doubts that the agency will ever have to take over but if it does, "we plan to continue school in the present public school buildings until we are kicked out."

"Over in Virginia," he observed, "they say you can't do that. But they have never made any such ruling here."

Bostick, county school Supt. Guy Taylor and Atty. and school board member Bob Reinhardt obtained a charter for Tift County Private Schools Inc. from Superior Court Judge J. Bowie Gray.

Bostick said two corporations eventually will be formed, the first profit-making and the second, non-profit. If one is invalidated, he added, operations will continue under the other.

The legislator declared that Tift is going to have segregated schools, public or private. He said that if the public schools are ever closed but, the county must have a setup ready to take over.

# Lovett and Moate Call For Action to Prevent Public School Closings

## Must Face Facts, Say Lawmakers

By JACK NELSON

Two veteran Middle Georgia legislative leaders warned against the closing of public schools Thursday and called for positive action in meeting the state's integration crisis.

Rep. Herschel Lovett of Laurens County, former member of the State Board of Education, said: "No one wants integration, but it is time to make plans if we are ordered to integrate."

**"GREATEST MISTAKE"**

Rep. Marvin Moate of Hancock County, who was House speaker during the Griffin administration, declared: "Closing the schools would be the greatest mistake we could make."

Interviewed by The Atlanta Constitution, Lovett and Moate emphasized they are strong segregationists, but they said the "facts" about the school situation must be faced.

Lovett said the Legislature, at the current session, should prepare for an integration showdown by abolishing coeducation and repealing compulsory school attendance laws. He said he is building opinion among legislators and will introduce bills on the matters if he finds enough support.

**STRONG SUPPORTERS**

Lovett and Moate both have been strong supporters of Georgia's recognized political leader, Sen. Herman Talmadge. Talmadge, then governor, appointed Lovett to the Board of Education in 1950. The Laurens legislator also served as chairman of the House Ways and Means Committee during the Talmadge administration.

While Lovett called for immediate legislative action, Moate declared that a study commission should go over the problem and make recommendations to a special session of the Legislature this summer.

Moate said the study group should be composed of the governor, legislators and other leaders from throughout the state.

Lovett and Moate spoke in defense of Jim Peters, chairman of the Board of Education, who has been under fire from some extreme segregationists for saying that "some integration is inevitable" if the public schools are to remain open.

Neither legislator would say directly whether he agreed with this specific view expounded by Peters, but this is what they did say:

Lovett—"Mr. Jim is one of the outstanding men of the state and is an authority on education. He knows more about the educational system than any member who ever served on the Board of Education. More people should express themselves on this vital issue."

**WANTS OPINIONS**

Moate—"Mr. Peters should not be condemned for giving his opinion on what is going to happen. He saw the handwriting on the wall. More leaders ought to speak out and try to get together and work out a solution to this problem."

Staff Photo—Bill Young

VETERAN SOLONS DISCUSS INTEGRATION CRISIS

*Lovett, Left, Moate Call for Positive Action*

Moate said he also agrees with Peters that if the public schools are closed, the political winds will blow cold for Sen. Talmadge.

In a letter three weeks ago to Roy Harris, Augusta segregationist and political leader, Peters made his comment about the inevitability of integration and also said the closing of schools would ruin the Talmadge political forces.

Peters and Harris both have been longtime Talmadge supporters.

Harris himself circulated the letter, which Peters said was written in confidence, and publicly denounced Peters for his views on the school crisis.

Lovett and Moate were emphatic in calling for more leaders throughout the state to speak out on the integration crisis.

**POINTS TO CRISIS**

"We have got to be honest and realistic," Lovett said. "The crisis is staring us in the face. I am fearful the governor and the Legislature are not taking this matter as seriously as they should."

Lovett said he had talked to Gov. Vandiver about repealing the compulsory attendance law. But he said Vandiver replied that the governor already has authority under present law to suspend the compulsory attendance regulation.

"But I think the General Assembly should repeal the law now," he said. "The governor will have enough troubles of his own."

Lovett said the law should be repealed because no one should be forced by state law to attend a school that is integrated by federal court order.

**"MUST MAKE PLANS"**

"But we have got to make plans and give those who want to go to public school a chance," Lovett said.

Lovett said he already has found considerable support among legislators for abolishing coeducation and repealing the compulsory attendance law.

The closing of public schools, Lovett said, would adversely affect all phases of Georgia life. "And we couldn't have as good schools with an independent system," he said.

"We have ideas, wishes and convictions," Lovett reiterated, "and I am for segregation and wouldn't do anything that would hurt the cause of segregated schools. But I do want to do what is best for my state, too."

## HOPE Sees Threat to All In Closings

Children, the community and schools will suffer if Atlanta's schools are closed under Georgia laws to avoid racial integration, state legislators were warned Thursday.

In circulars placed on the desks of Senate and House members, HOPE, Inc. declared that unless action is taken this session to change existing state laws, "it is almost certain that some schools will close in Atlanta."

The circulars also point out that if any schools in the state are closed it is probable that all public schools in the state will close.

And if they close, "some 30,000 high school seniors would have to postpone their graduation. Their chances for college would be affected. Many would never complete their high school education," HOPE says.

Referring to the community, the organization says business and professional firms are having difficulty in recruiting engineering, research and management personnel because of the danger of school closings.

The circular quotes an Atlanta Constitution business survey which showed 17.1 per cent of business people plan to leave the state if schools are closed.

# Save the Schools, Millican Appeals

By BRUCE GALPHIN

Former Senate President Pro Tem Everett Millican appealed directly to legislators Friday for action to "keep the public schools of Georgia open to all of our boys and girls."

Education, he declared, is "the one thing in our way of life that must be maintained."

In individual letters to each member of the Assembly, Millican noted that Atlanta schools face the "definite prospect of closing.

". . . while for the present this problem is facing Atlanta only, it will in my opinion within a very short time be facing every school system in the State of Georgia, including those in your county.

"I think the question of public education goes much deeper than that of segregation or integration, or whether we like or dislike the Supreme Court decision—it strikes at the one thing in our way of life that must be maintained," he wrote.

Millican, who built a respected and sometimes controversial reputation during his 16 years as Fulton County's senator, said he "was never concerned with whether an issue was popular or unpopular.

"But I was concerned with whether it was right, and I believe you follow the same thinking in your decisions . . .

"In view of this, I am writing this letter to urge that you give very serious consideration to the passage of legislation that will keep the public schools of Georgia open to all of our boys and girls," he continued.

"While I am sure the economic loss to Atlanta and the state would be enormous if the schools were closed, I am thinking only of the inreparable loss that would be sustained by the children of our state if this should happen," he concluded.

Millican was the driving force in the Senate behind much Minimum Foundation legislation.

He reminded assemblymen that "I was as much interested in the children in the smaller counties of Georgia having the same educational facilities and opportunities as those in my own county."

Millican was president pro tempore of the Senate during the first two years of the Griffin administration.

Meanwhile Friday, the drumfire expression of sentiment for keeping public schools open included these developments:

1. Some 836 residents of the Medlock school district in DeKalb County presented a petition to Gov. Vandiver calling on him "to take whatever measures may be necessary to insure that our public, tax-supported schools be kept open and operating."

The group said individual members disagreed on the issue of integration but were "united in our belief that the greatest single catastrophe which could now befall us would be to have the schools close and to have our children deprived of our right to an education."

2. The DeKalb delegation formally submitted its "parent choice" bill in the House.

At the same time, the delegation sent copies of the bill and an explanatory letter to each of the 232 daily and weekly newspaper editors in the state.

"We believe that this bill should be made low at this session," the DeKalb representative said.

"However, if it is not passed, we believe the School Study Commission should study it and we believe that some solution along this line is needed if we are to succeed in avoiding an interruption in our children's education and in preventing damage to the great system of public schools in Georgia."

## Pulse of the Public

# 'Passage of Bill to Allow Sale of Schools Could Mean Political Suicide for Backers'

Covington — The governor and a good many politicians must be planning on retiring from public office if they are naive enough to believe the public placed them in office to wreck our educational system with its billions of dollars of tax money invested and with outstanding school bonds for millions more dollars to be paid with interest.

This bill sailing through the legislative hopper now to give county and city school boards the authority to sell school property when such sale is deemed advisable, or as it states, in the best interest of the school system, is tied in with the private school plan.

If this were to happen, then the schools which were paid for with tax money would be operated by private individuals for only those who could afford to shell out about a thousand dollars a year for total school expenses per child. Then we who could not afford this expense would have to watch thousands of children roam the streets to wind up as problems for their parents or jailed for mischief while we paid for school facilities which our more fortunate citizens would use to educate their children.

No, gentlemen, I don't believe either the Supreme Court or the people will sit idly by and tolerate any such solution with a public-owned facility such as the school system. JOEL E. NEELY.

• • •

## *Student Petition Urges Open State Schools*

Atlanta — The following is a copy of a petition signed by 602 high school students which has been sent to Gov. Vandiver:

"The success of our democracy is dependent on the participation of thoughtful, educated citizens. For many years public education has been a vital part of our great Georgia heritage. So today, in this time of crisis, we are petitioning you not to deprive innocent school children of this necessary privilege. For the vast majority, free public education is the only answer—there can be no substitute. When the schools close, the whole state suffers; this has been proved very graphically in Arkansas, in Virginia—wherever people have refused to face the fact that the Supreme Court has declared the law of the land and there can be no appeal. As we look toward a future in which education will be a prerequisite for survival, we ask you to preserve our public schools, thus insuring our rightful forward progress as a state and a nation."

The undersigned high school students.

(602 NAMES)

# New Elementary School Honors Memory Of Isaiah P. Reynolds

By JOEL W. SMITH

The Atlanta Board of Education Monday night approved a resolution officially naming the new Reynoldstown Elementary School in honor of the late Isaiah P. Reynolds, pioneer businessman of the community which was named for his father, the late Madison Reynolds.

The late Isaiah P. Reynolds was the father of the late I. P. Reynolds, well-known postal employee, who was a mail-carrier on Auburn Avenue for years.

The regular monthly meeting was held in the Board Room, at the City Hall, with the president, A. C. Latimer, presiding.

On recommendation of Dr. Ira Jarrell, superintendent ,the Board elevated Mrs. Amelia Hall Thornton, resource teacher, Areas II, IV and V, to the principalship of the new Isaiah P. Reynolds School, and also elected new teachers to the city schools instructional staff.

Mrs. Thornton holds baccalaureate degrees from Morris Brown College and Columbia University and has also done graduate work at Atlanta University.

**NEW SCHOOL OPENS WITH 435 STUDENTS**

The Isaiah P. Reynolds School, with ten classrooms, an auditorium, a library, and a cafeteria, opened on Monday, January 25, with an enrollment of 435 students.

Some 346 of the new students were transferred from the H. R. Butler School, eliminating all double session classes there. The other students came from the following sources: new enrollees, 35; from Wesley, 15; from Inman Park, 28; from English Ave., 2; from Slater, 3; from Hope, 3; from Forrest Ave., 1, and two from a private school.

The instructional staff includes twelve teachers, nine transferred from Butler, one from Charles L. Gideons, and two new teachers.

The 35 new enrollees are kindergarten children who have not been in school prior to this because Butler had no room for them.

The Board also adopted a resolution requesting the City to pave a portion of Capitol Avenue adjacent to Price High School property, and discussed briefly, without action, the proposed new Westside High School.

Among the new teachers elected to first-year probation, on recommendation of Superintendent Jarrell, were:

HIGH SCHOOL: Mrs. Ruth F. Blair, Tuskegee Institute; Miss Jacquelin G. Scott, Howard University.

ELEMENTARY SCHOOL: Mrs. Mary J. Bowden, Johnson C. Smith; Miss Barbara Yvonne Hancock, Clark; John Hanson, Fort Valley State; Mrs. Dorothy E. Hill, Morris Brown; Mrs. Hortense S. Linsey Morris Brown; Victor H. Partridge, LaFayette College; and Joseph N. Davis, Florida A. and M.

1960 GEORGIA

# SCHOOL GROUP TAKES PULSE

By BRUCE GALPHIN

There will be no filibusters as the General Assembly Committee on Schools launches its historic and exhausting pulse-taking tour of the state this week.

From the time of its organization meeting, it has been clear the committee would keep a tight rein on the potential chaos lurking in any such public hearings.

That firm grasp lies largely in the hands of the committee's chairman, John A. Sibley.

* * *

**A MAN OF IRON WILL** and known organizational abilities, Mr. Sibley in his opening remarks set forth the choice citizens will have to make:

The end of the public school system, with the substitution of tuition grants for private schooling; or continued public schooling with some integration in some areas.

The alternatives are no news. Unemoitonal legal authorities have been citing them for months or even years.

But the statement went further than Gov. Vandiver and most other state officials have been willing to go on the record.

* * *

**AT THE COMMITTEE'S** second full meeting Friday, Mr. Sibley amplified on his remarks and set forth the mechanics for conducting public hearings.

**"Our first job,"** he told the committee, "is to isolate what those choices are, so that they (the public) will have an understanding of what they're testifying about."

Citizens will be asked questions designed to determine "whether or not they want to stand where they are, or whether they want to take another road . . . whether or not they want to vote later on the possible choices that may face them," he declared.

* * *

**"THE COMMITTEE,"** Mr. Sibley continued, "will be particularly interested in hearing from organized groups.

". . . Other members of the public will be heard within the time available."

The exact form of the questions which will be submitted at the hearings has not yet been settled. But obviously they must cover such eventualities as the state faces.

For instance:

Do you prefer segregation even at the cost of closing your own public schools? Would you vote to end public education if your county faced integration? If your county did not face the problem, would you still vote to end public schools to keep other areas from having integrated schools?

* * *

**MR. SIBLEY** also reminded committee members that the General Assembly assigned them the task of finding the sentiment of the state and not merely espousing their own views.

If the public wants no change of course—i.e., would rather end public education than have any integration — then the committee's task is simple, Mr. Sibley said.

But if citizens indicate they

Staff Photo—Bill Wilson

**GENERAL ASSEMBLY COMMITTEE ON SCHOOLS PLANS MEETING SITES**
**Will Be Particularly Interested in Hearing From Organized Groups**

## Georgia County All For Closing Mixed Schools

SANDERSVILLE, Ga., March 16.—(AP)—The county which sent more men off to fight for the Confederacy than any other in Georgia told a board of inquiry Wednesday to close every public school in the state if one Negro enters a white school.

The State School Study Commission, created by the Legislature to seek the answer on how Georgians want to resolve the integration crisis, got the answer quickly from Washington County.

More than 400 persons, including only about 20 Negroes, jammed into the Courthouse to express the views of the Sixth Congressional District at the sixth of 10 hearings the committee is holding throughout the state.

# As Schools Go, So Goes Democracy

ATLANTA — A blunt warning that the closing of public schools in the South could result in social, political and economic collapse for the region was issued last week by a group of 33 prominent white Southern educators.

The group, which includes four college presidents and twenty-three education department heads in the region's institutions of higher learning, issued a statement which they emphasized as an expression of their personal opinions.

Although the statement is addressed primarily to the South "because that's where the problem is today," a spokesman for the signers said that it would apply equally to any region threatened with destruction of public education.

* * *

**"FROM THE** beginning," they pointed out, "it has been the public school which had nurtured the American concept of democracy.

"How," they asked, " can this ideal possibly live on in a society that abolishes the principal institution established to preserve it? Every democratic nation in the world has a tax-supported system of public schools."

The threatened closing of public schools in the South in effort to evade court-ordered integration, they pointed out, confronts the region with many serious consequences.

Among these were listed a loss of education for a majority of children because of an inability to pay for private schooling.

Even some receiving private schooling would suffer because of inferior teaching and facilities.

* * *

**IT WAS** pointed out also that a disrupted system of public education would remove the incentive for young people to enter or prepare for teaching careers with the result that sources for competent teachers would be dried up.

Other results foreseen were:

The flooding of the labor market with unskilled workers;

Lowering of the economic level of the affected areas since it has been shown that better educated persons are more intelligent consumers, have greater income and spend more per capita;

The placing of a vastly increased strain upon youth services and recreational facilities due to the daytime idleness of vast numbers of young people;

The mirgration away from the region of its most capable, able and intelligent young people in search of better opportunity;

The inability of the region to attract desirable and needed

The loss to the nation of its leadership from outside;

The loss to the nation of its sorely needed potential leaders so important to keeping abreast of Communism in the world technological race.

# Grand Jury Told to Speak Out on Schools

new Fulton County Grand was challenged Tuesday to out" if one of its members an answer to the public integration problem.

challenge came from Su- Court Virlyn B. oore, who rmed the ol problem of prime portance."

Judge Moore

told the June term , "Had I the om to solve problem, I ld give you solution, but ce I am not so endowed, I will undertake to do so."

**ALAMITY IN CLOSING**

Then Judge Moore added: "To close the public schools for time would be unfortunate; to olish the public school system ould be a calamity.

"It may be that there is a Moses among your number, by reason of his experience and ense of direction, who can lead he people out of the wilderness of confusion concerning the chools.

"Or, perhaps there is a Solomon among you who, by reason of his isdom, can offer some solution o the problems that, to date, ave not been solved. If so, speak ut and let your views be known."

**ARMON FOREMAN**

That was the only specific item which Judge Moore called the jury's attention to outside the usual instructions to a grand jury.

Howard B. Harmon Sr. of 3100 Habersham Rd., NW, was elected foreman of the jury. Milledge H. Brower of 784 Capitol Ave., SE, was named assistant foreman. J. P. Caldwell of 864 Melrose Dr., SW, was elected secretary, and John L. Copelan of 116 Huntington Rd., NW, was named assistant secretary.

**COUCH ON JURY**

Among the members of the jury are former Atlanta City Councilman J. Allen Couch, and Union City Clerk Morris Russell.

A majority of the jurors, in answer to a question from Judge Moore, indicated they had not previously served on a grand jury.

**JURY LIST**

Other members of the grand jury are:

Charles F. Richardson of 990 Dean Dr., NW; J. K. Callaway of 535 Old Ivy Rd., NE; Turner Goldsmith of 2636 Brookdale Dr., NW; Harry E. Perkins of 803 W. John Wesley Ave., College Park; Joseph E. Brown of 17 Camden Rd., NE; C. W. Williams of 9 Roanoke Ave., SE.

Doc W. Cochran of 1156 Eas Ridge Rd., SW; Newton M. Brown Sr. of 1514 Dodson Dr., SW; Marshall S. Chester of 4594 E. Conway Rd., NW.

John W. Hood of 1415 Woodland Ave., SE; James E. Wood of 855 Kipling Dr., NW; R. E. Cole of 525 W. Rugby Ave., College Park; John Charles Dukes Sr. of 507 Pinetree Dr., NE; P. F. Eisenhart of 2733 Atwood Rd., NE; Neal T. Evans of 1590 Loring Dr., NW; Nick W. Weathers of 417 Peeples St., SW, and Maurice L. Wilson of 88 Peachtree Memorial Dr., NW.

Debate centered around controversial issues surrounding the public school question in the two Southern states.

## Miss Ira Jarrell Retires

Miss Ira Jarrell, the efficient Superintendent of Atlanta Public Schools, will retire from that position early in July. She will take or place with those other educators who before her have done a good day's work.

Along with her many friends and admirers, Miss Jarrell is wished many years of good health and happiness in a retreat so richly earned and deserved.

To Dr. John W. Letson, the incoming Superintendent, who hails from a like position in the City of Chattanooga, Tennessee, will come the task of helping to preserve the Atlanta School System in this one of her gravest crises. He will be called upon not only to help furnish policy, but to channel through and implement whatever good offices suggesting the solution of our problems and the stabilizing of a more wholesome public school program.

It is encouraging to note that one of his first statements bore out the fact, that the experienced educator he is, the public school system is best for any over-all educational program. It is fine to have an able administrator at this time to state in no uncertain terms what is best for the occasion and with the courage to do his uttermost to protect the interests of all the people.

It is expected that he will more than measure up to the task handed him in this period of an acknowledged crisis.

# Lutherans favor keeping schools open

SAVANNAH, Ga., April 30—(AP)—The Georgia-Alabama Synod of the United Lutheran Church in America is on record as favoring keeping public schools open.

But its resolution on the subject, adopted at the centennial meeting of the synod being held here, did not please some delegates who termed it too "mild."

**Clergy and laymen voted down an amendment to strengthen the statement, which later passed with only a sprinkling of "no's."**

The Rev. Rufus B. Cuthbertson, chairman of the committee on social missions, which introduced the resolution, said the committee's intention "was not to speak on broad issues, but application of that issue to the school situation which faces us at this time."

# Tax Suit May Test School Closing Law

By BRUCE GALPHIN

A tax suit brought by a prosegregation Atlanta attorney may provide the vehicle for a test in the State Supreme Court of the principle behind Georgia's school-closing laws.

Another attorney, who asked that his name not be used at present, told The Constitution that such a challenge of the segregation laws is forthcoming.

This is the first time state courts have faced the possibility of ruling on Georgia's segregation barriers. All previous tests have been in federal courts.

The case in question is a suit brought by Hilltop Apartments, Inc., and its president, Moreton Rolleston Jr., asking to bar the city from levying against the corporation for 1959 city school taxes.

Rollestone's suit relies on a 1959 act passed at the urging of Gov. Vandiver.

The law, relating to cities' powers to tax for schools, holds "If it shall be held by any court of competent jurisdiction that the support of separate public schools for the white and colored races is illegal or violative of the constitutional rights of any person . . . then all power conferred upon any such municipal corporation by this act shall immediately terminate."

The suit contends that Atlanta is in such a situation because U.S. District Court Judge Frank Hooper on June 5, 1959, ruled:

"This court cannot at this time make any other ruling except a ruling to the effect that the operation of racially segregated schools in Atlanta violates the 14th amendment to the U.S. Constitution.

The city must answer the suit in Fulton Superior Court next Friday.

The constitutionality of the 1959 act might not be challenged by the city.

Atlanta City Atty. Jack Savage said Tuesday he believes the act simply does not apply in the present case.

But he did not rule out the possibility that the constitutional point would be raised.

The other attorney said, however, that if the city does not test the 1959 act, he was sure a parent-taxpayer would intervene in the case for that purpose.

Courts as a matter of standard procedure duck constitutional questions if a case can be disposed of on other grounds. They may do so in this case.

But a constitutional lawyer explained to The Constitution that when Virginia's massive resistance laws were tested in U. S. District Court in Norfolk, the court held them invalid because putting school districts under integration orders in a different class from other schools was an "unreasonable classification."

And, the lawyer added, all of Georgia's school-closing laws as well as the 1959 school-levy law are subject to the same attack.

If a constitutional question is raised in Fulton Superior Court, the case could be appealed directly to the Georgia Supreme Court.

A taxpayer-parent could intervene as an interested party either before or after the Fulton hearing.

# Why Turn Down School Buildings?

The Atlanta Constitution

We confess to disappointment that Georgia's congressional delegation has voted against a federal school construction bill. p. 4

A building cannot take sides in a political issue. Bricks and stone will not argue pro or con on segregation. Absolutely all a schoolhouse can do is provide teaching space in which children can be educated. 5-28-60

And, we ask, what difference does it make if tax dollars from other states help pay for some of the buildings? There will be some communities in Georgia which, using a freedom of choice measure, will vote to keep public schools. Shall Georgia taxpayers shoulder all the load and refuse federal aid to buy bricks, cement, stones, timber? Does this really make good sense? Atlanta

We can't expect federal aid to be spent against federal law. Georgia must have new buildings. We can't forever isolate ourselves and further erode and weaken our ability to educate our children.

We see the early census results showing many Georgia counties to be losing population. Do we wish still others to move away to obtain education for their children? We might note that in Virginia's Prince Edward County the rural foundation which promised free segregated schools has about run out of money. It announces that next September tuition charges of $265 and $240 will be made for high school and elementary pupils. A private system can at best provide inadequate education in a rural area. But it cannot do even that in any populous county with hopes for an industrial future.

Fulton County's school board has compiled enough data to know the need is desperate. The 1959 building budget required a minimum of $4,500,000. It obtained only $3,325,000. Thus, the first million will have to be spent on facilities which should have been provided out of 1959 funds.

All over this state the need for school buildings is desperate.

The federal government bill will, if it passes the Senate, provide 50 per cent of all costs. Are we so isolated and withdrawn from reason and common sense that we are afraid to accept the assistance of mute bricks and stones?

# 'Lawyer of Year' Title Fits John Sibley Well

The Atlanta Constitution

Georgia's Bar Assn., in annual convention, has voted Atlanta's John A. Sibley as its "Lawyer Of The Year." We heartily approve the choice.

Mr. Sibley's head frequently has been anointed here of late with the oil of praise and his cup of commendation runneth over. All of it is merited. p. 4

His fellow lawyers chose him for their greatest honor because of his really enormous service to Georgia as chairman of the State Study Commission in the school crisis. Ten district hearings were held and in all of them the commission acted fairly and provided a fine debate for the people. Citizens learned there was another side than that offered by the sordid klans, the citizens' councils and the fanatic extremist groups which do not represent children, but their own emotions and prejudices. 5-28-60

For the first time the people of Georgia were able to understand that the real issue is children and their future. We are not trying to decide about politics but whether or not our children will have adequate education. Mr. Sibley and the committee he chaired provided a statewide discussion. The result was a freedom of choice recommendation which we trust will be adopted as the eventual solution.

Maybe, in time, we can take the schools away from the ambitious politicians and ruthless extremists and give them back to teachers and pupils.

We are pleased to join in the applause for Mr. Sibley.

# ATLANTA OBTAINS DELAY ON SCHOOLS

The New York Times

## Judge Puts Off Integration a Year in 'Last Chance' to Save Public System

5-28-60 p. 22

By CLAUDE SITTON

Special to The New York Times.

ATLANTA, May 9—A Federal judge delayed desegregation here today until 1961 to give the next Legislature "just one chance" to save Georgia's public education system.

Lawyers for Negro plaintiffs said they would appeal the ruling handed down in District Court by Judge John A. Hooper. 14 (1)

In an informal statement serving as the basis for his order, Judge Hooper cited a recent report by a Legislative study committee. He said its public hearings had shown a shift in settlement toward accepting some desegregation to keep schools open.

He suggested that legislators elected next November take the following steps to prevent the closing of Atlanta schools in September, 1961:

¶Voting a pupil-placement act similar to provisions incorporated in a desegregation proposal submitted to the court by the Atlanta Board of Education.

¶Passing a local-option measure giving Atlantans the right to vote whether they want to abolish public education rather than have desegregation.

### Court Modifies Plan

"It's the last chance that this court can give to the Legislature and people of Georgia to avoid what may come," the judge said.

Because of the delay, he added, he will modify his order to provide that the board's grade-a-year desegregation plan take effect in the eleventh and twelfth grades next year.

"And that means that by deferring the start of this plan until September, 1961, instead of September, 1960, the completion of the plan will be on exactly the same date as though it had started at this time," he said.

Lawyers for the Negro pupils said they would file an appeal "as soon as it is possible to do so." Heading the lawyers is Mrs. Constance Baker Motley, staff attorney for the National Association for the Advancement of Colored People.

She said the ground for the challenge would be her contention before Judge Hooper that the court and not the Legislature had "the duty to require a prompt and reasonable start toward desegregation."

To let the ruling stand would create "an undesirable precedent," she declared.

She told the judge, "It seems to me that this court is not following the Supreme Court decision" outlawing school segregation in 1954.

### Cites Previous Rulings

In an apparent attempt to lay the groundwork for a challenge, she cited rulings in desegregation cases by the Supreme Court and Circuit Courts of Appeal. She said the Supreme Court had never held that a state Legislature had the power "to say when and if a desegregation plan should go into effect."

She and the Rev. Samuel W. Williams, president of N. A. A. C. P. chapter here, agreed there was nothing to indicate that the Legislature would act to allow desegregation.

The ruling virtually assured that the question of maintaining public education would be the chief issue of the coming legislative campaign.

Gov. S. Ernest Vandiver, in commenting on the judge's action, said:

"Members of the forthcoming Legislature now being elected will have presented to them for decision some of the most vexing and fateful problems ever to confront modern-day Georgians. I am confident the people will elect to the Assembly men who are equal to the task before them."

Local option was one of the recommendations made by the General Assembly Committee on Schools, whose report will be placed before the next legislative ssession in January.

Because of state laws that would close any desegregated school and cut off its funds, Judge Hooper said, a court order to admit Negroes to white schools here next September would lead to "chaos."

He made clear that as a result of other desegregation decisions, all Georgia schools would be endangered if those in Atlanta were closed.

He noted that witnesses at recent hearings of the School Study Committee had favored maintaining segregation by a 3-to-2 margin, even if it meant abolishing public education.

A year ago, he held, the margin probably would have been 5-to-0.

"So there is very definitely an increase in the number of people in the state of Georgia who fear the damage to the public school system," he declared.

"I believe that Georgia might change its mind next January. They [the new legislators] might see fit to allow Atlanta to handle its own problem here and have some integration rather than to risk the dam breaking and the whole state being flooded."

# Georgia Has No Excuse On Schools---Hartsfield

Atlanta Daily World
Atlanta Ga
Sat 5-28-60

The state of Georgia and its No. 1 problem—open or closed schools when desegregation occurs next year— were spotlighted across the nation in a special television broadcast Friday night. The program, "Who Speaks for the South?" was filmed in the state and covered the Atlanta and Moultrie sessions of the School Study Commission hearings.

Mayor William B. Hartsfield made, by far, the strongest statements in looking at the problems. About the school situation, he said that "Georgia has no excuse not to act intelligently" as she should learn lessons from Little Rock and Virginia. He cast a vote of confidence for the future generations and hit the oldsters who still cling to old ideas in a modern and changing world.

Rev. William H. Borders, J. W. Dobbs and Mrs. J. W. E. Bowen were the Atlanta Negroes appearing on the show. They were shown as they spoke in support of open, desegregated schools. Rev. Borders stated:

"There should be more and better education for all as a democracy requires more education."

The program was narrated by CBS's popular Edward R Murrow. Scenes from a segregationist rally and the state convention of Help Our Public Education (HCPE) were also shown. James Gray, chairman of the Georgia Democratic Committee, spoke to the segregationists, and Sylvan Meyer, editor of the Gainesville Times, spoke to HOPE. Flashes of Hartsfield and Gov. Ernest Vandiver commenting on different situations were shown. The two took different stands on school closing and the advertisement appearing in Atlanta newspapers by students from Atlanta University Center, entitled "An Appeal to Human Dignity." Hartsfield commended the ad but Vandiver attacked it as "alien."

Also interviewed extensively was Ralph McGill, publisher of the Atlanta Constitution.

He said that there "almost certainly will be agitation and attempts at agitation" if public schools in Atlanta are integrated next year.

Asked if he expected trouble should the public schools in Atlanta be integrated in September, 1961, as ordered by U.S. District Judge Frank Hooper, McGill said:

"There might be some, sir, and there probably, and almost certainly, will be agitation and attempts at agitation. But we have a very fine mayor, a wonderful chief of police, a fine staff of police which will do their duty."

**WILL "GET ALONG"**

McGill, added however, that with help from the sheriff's office, "and if other neighboring fanatic elements or extremist elements don't send in people from outside, we'll get along without any trouble."

McGill also criticized the Georgia "county unit" voting system which gives great power to rural areas in state-wide balloting. He described it as "a very frustrating thing that keeps us in political bondage."

Georgia Gov. S. Ernest Vandiver defended the county unit system, however, describing it as "in the best tradition of representative government." He said it assured "a discussion of political initiative over the entire state" and prevented the possibility of a "Tammany Hall" or a "Pendergast machine."

Vandiver also opposed the integration of Atlanta schools which he said would have "bad consequences."

"Certainly where integration is forced, a lot of difficulties ensue," Vandiver said pointing to "the 'blackboard jungle' type of conditions which are prevalent in some of our larger cities."

**CITES CAUSE**

Vandiver also said that the people of Georgia, both white and colored, feel that separate educational facilities "are best for both races."

McGill said that one of the South's chief troubles stemmed from the "industrial revolution" it is undergoing. He said as the South becomes industrialized people are pouring into the cities from rural areas who lack education and feel insecure. These people not only overload the school systems but "they fall pretty easy prey to all sorts of demagogic assertions.

## A Carefully Charted Plan Likely

The Atlanta Constitution Atlanta Ga
Sun 5-15-60

# SELECTION FOR INTEGRATION

By MIKE EDWARDS

It is logical to assume the Negro community will have applicants, carefully selected ones, ready on May 1, 1961, when, under Judge Frank Hooper's order, the Atlanta school system must implement its desegregation plan.

"I should certainly think so," was the answer of D. L. Hollowell, one of the Negro attorneys in the case, when asked if applicants will be prepared to seek admission then to what are now all-white schools. Perhaps, he added, there would be some screening to select the outstanding ones.

If integration actually comes to pass here, careful selection of the Negroes to be involved would, presumably, get the thing off to as auspicious a start as possible.

* * *

**BUT IT IS** Mr. Hollowell's hope that the Board of Education will make it unnecessary for Negroes to apply for admission to integrated schools. "I take the position it would be a great deal better," he said, "if the board would actually make an overall assignment based on normal districting lines and availability of facilities."

He talked around a question as to whether he thought the board would make such a move, in effect giving integration an open-sesame nod of its collective head. "It is always timely to do what is right," he said. "I would like to think the Board of Education wants to do right."

* * *

**THE BOARD** president, A. C. (Pete) Latimer, said—not surprisingly—that no such move is contemplated.

The board has a pupil placement plan which has been approved by the court, he said, and it expects to operate within its provision. These are, basically, that a Negro who wants to be admitted to a white school must make application to the board and must meet a set of qualifications.

Thus, the board has only to sit and wait for applicants next May 1-15, the period during which applications may be received for transfers in the fall of the next year.

In the meantime, Mr. Latimer said, he can't see anything to be done except to say that "fair warning" has been given.

* * *

**THIS, IN EFFECT,** was what Judge Hooper was saying, too, when he ruled Monday that the plan will go into effect next year. The delay until then, he said, will be "the last chance this court will give, I think, to the Legislature and the people of Georgia to avoid what may come."

Then he pictured, as the probable outcome of the state's failure to abandon its no-integration stand, schools closed as long as a year, children in the streets and teachers leaving the state in droves.

He said the Legislature could help the situation by enacting a statewide pupil placement law and allowing Atlantians to vote on whether they wish to close schools instead of accepting integration.

* * *

**BUT THE** implementation of the pupil placement plan, perhaps leading to some integration, isn't contingent upon legislative action, Judge Hooper made it clear. On this basis the Negro lawyers, who at first called his ruling a "repudiation of the 1954 desegregation decision" of the Supreme Court, decided not to appeal.

No Solomon could predict flatly what will happen, but here are what appear to be the possibilities, not necessarily all of them:

1. The school board might receive Negro applications next May, find none of the applicants qualified and thereby preserve segregation for another year.

2. If the Negroes felt that applicants were rejected on the basis of race instead of on the qualifications set out in the pupil placement plan, they could go to court and seek an order admitting the Negroes to white schools.

3. Should the Board of Education accept a Negro's application to enter an all-white school, and should the 1961 Legislature make no move to change the present laws, the stage would be set for school closings. State law says state funds shall be cut off from any integrated school, that any integrated school shall be closed and that the taxing power of any integrated school system shall be cut off. Presumably, however, nothing would be done until a Negro pupil actually set foot in a white school.

4. If an integrated school were closed, its pupils could be transferred to another school. But the Negro student also could insist on being transferred. If given permission to enter another school, a chain reaction of school closings could be set off.

5. If one school were closed, a citizen litigant might obtain a court order demanding that it either be reopened or that all other public schools be closed.

14d(1) 1960 GEORGIA

# Smith To Seek Repeal Of School Segregation

The Atlanta Constitution
Atlanta, Ga.

A new series of bills to repeal all of Georgia's school segregation or school-closing laws will be introduced in the Legislature by Fulton County Rep. M. M. (Muggsy) Smith.

Smith, who offered three general bills last year to take segregation laws off the books to implement a pupil placement bill, said he will introduce the new bills "in case the first bills missed anything."

Bills are now being drafted to wipe off the books each Georgia law which refers to segregated schools or closing schools, Smith said.

His earlier bills are still held in the House State of Republic committee with little chance of ever being reported out favorably.

Smith also expressed doubt that the Legislature will pass the bills, but he said "at least they will be there, giving the Legislature a chance to do the right thing."

Sen. Charlie Brown and Rep. Wilson Brooks, who appeared with Smith before the Atlanta Women's Chamber of Commerce, pledged their support to the Atlanta school board's effort to keep schools open in the face of a federal court desegregation order.

# Flint Panel Pushes School Segregation

The Atlanta Constitution
Atlanta, Ga.

MACON (AP)—The Flint River Citizens Council Sunday adopted a resolution urging the Legislature to keep Georgia schools segregated and open.

The resolution also said the council would rather see the public schools closed than integrated.

The resolution was one of two adopted at what was described as the first statewide rally of the Citizens Council. About 100 persons attended the meeting in a Macon building.

The second resolution called on the Legislature to pass a bill to label blood in hospital blood banks as to race.

Ezra Johnson of Columbus, executive director of the council, warned the group against the dangers of complacency and charged the U.S. Supreme Court with usurping states rights in its 1954 decision outlawing segregation in the public schools.

Johnson said, "We are not fighting the Negro, we are fighting what is behind him." He did not elaborate.

Preston Norman of Norman Park was elected president of the council. Other officers chosen included James Fullard of Waycross, first vice president; Roger Ussery of Gordon, second vice president; Mrs. Kate Maples of Doerun, secretary, and W. G. Maxwell of Norman Park, treasurer.

REGENT NOMINEE
*Roy V. Harris*

# Roy Harris Selected As Regent

The Atlanta Constitution
Atlanta, Ga.
Mon. 1-18-60

Outspoken segregationist Roy V. Harris of Augusta will be named to the Board of Regents by Gov. Vandiver, The Constitution learned Sunday.

Harris, former speaker of the House and long a political power, was a member of the Regents from the 10th Congressional District until former Gov. Griffin failed to reappoint him in 1958.

Harris' new appointment will be to a vacancy for the state at large.

**OTHER VACANCIES**

It is not known whether the governor has decided on a replacement in another vacancy on the board. Two at-large terms, those of Mrs. William T. Healey and of Freeman Strickland, have expired.

The appointment of Harris will place the governor in the position of having two feuding political figures in important education posts.

James S. Peters of Manchester, chairman of the State Board of Education, recently wrote Harris a letter critical of Harris' position on closing the schools to prevent integration.

Some degree of integration is unavoidable, Peters wrote.

**BEFORE DISPUTE**

Harris in turn called on Peters to resign.

However, Vandiver reportedly decided on the Harris appointment before the dispute arose, and the appointment is not considered to indicate any choosing of sides by the governor.

Peters is expected to remain on the Board of Education.

# Statewide Survey Of Crisis Proposed

The Atlanta Constitution
Atlanta, Ga.
Mon. 1-18-60

By GENE BRITTON

A thorough committee study of the state's school crisis sentiment would be "more appropriate" than a straw vote on the question of closed versus integrated classrooms, Sen. Carl Sanders of Augusta said Sunday.

The president pro tem of Georgia's Senate said he didn't think a referendum on whether or not to close schools or permit some integration would have much merit. The referendum idea was advanced last week by Rep. Culver Kidd of Baldwin County.

Meanwhile, administration leaders of the Senate and House Sunday night were preparing to push for passage this week of several of the governor's key program proposals.

The Senate will be ready to vote Monday on the administration's bill to provide for a streamlining of policies governing insurance of state property. The bill also permits the state to write its own insurance.

One administration-backed proposal which may touch off some controversy will be a bill to permit the use of unmarked State Patrol cars on Georgia highways. The bill, along with a "package" of highway safety proposals, is expected to be introduced this week in the House.

Sen. Sanders came about as close as any administration leader has to actually proposing the creation of a special study commission which would be charged with investigating statewide attitudes on the school question and mapping a way out of the crisis.

**SUPPORT EXPECTED**

It has been widely speculated, however, that the Vandiver administration might push for such a study group. Strongly committed to segregated schools at all costs, the administration might be able to use the commission in an attempt to show good faith to the federal courts and at the same time gain more time for an attempt to strengthen its segregation defenses, some observers feel.

Sanders gave no indication as to when or by whom legislation would be offered to create the commission.

**FROWNS ON REFERENDUM**

He said he didn't think Kidd's proposal for a referendum is "meritorious" because a straw vote wouldn't necessarily "be indicative of how the people most directly affected by the schools feel."

"It would be more appropriate for a committee composed of representative people to go into every county of the state, make a thorough study of sentiment, get representative samples of opinion and report back to the General Assembly," he said.

Most administration leaders appeared optimistic Sunday night about chances for quick passage of most of Gov. Vandiver's recommended legislation. The bulk of the administration bills already have been introduced in one house or the other, and passage of some of them is predicted by the end of the week.

In addition to the highway safety measures, a few bills carrying Vandiver labels still remain to be tossed into the hoppers—probably this week.

House Floor Leader Frank Twitty said the governor's proposal for an industrial system within Georgia's prisons operation will be offered in the House.

Another bill which may show up this week is one which would set up uniform regulations on the weekly working hours of state employes.

# 'Mr. Jim' Peters Warns the Politicians Of Consequences of Closing Schools

All politicians as well as every other citizen of Georgia should be deeply grateful to State Board of Education Chairman James S. Peters, of Manchester, for his courage in accurately pointing out the political consequences of closing Georgia's public schools.

His prediction that the present course will result in a political revolution is no understatement of the case. But in saying it, Mr. Peters has suggested the way of reasonable action if politicians will listen to his advice. If they do not, then closing the schools is inevitable and this will be followed by an upheaval such as Georgia seldom has seen.

In his forthright letter to Roy Harris, published yesterday in The Atlanta Journal-Constitution, Mr. Peters faced facts. He told the Augusta leader of the Georgia States Rights Council, who is perhaps the most die-hard segregationist in the state, that public sentiment is changing and "will change much faster between now and Septemper, 1962, unless Herman Talmadge and his friends find a better answer to this problem than the closing down of the public school system. . . ."

Mr. Peters is no integrationist. He is a long-time friend of the Talmadges and of Mr. Harris. His voice in Georgia politics has been formidable for many years. He is highly respected and his leadership has had a major impact on the state and its political direction. He has been a strong legislative supporter of segregation moves. But foremost in his mind has been the best interest of his state and he sees no political profit in closing the schools.

Discussing recent speeches by Rep. James C. Davis and Atty. Charles Bloch of Macon, Mr. Peters finds himself in agreement with their views but "I do not propose to butt my brains out against a stone wall and this is just exactly what we are doing if we maintain the adamant position we now occupy."

If the present course is followed, Mr. Peters declared, it will be the main issue in the governor's race of 1962 "and it will not be the question as to whether the people favor or oppose integration but the question will be more direct—are you in favor of reopening the schools with [illegible] (Arnall) supporting a program to reopen the closed schools."

If such a situation develops, Mr. Peters said, the state's present political leadership might very well be swept aside for decades to come. "Some form of integration is inevitable," he wrote, "and the only question left unanswered today is whether this integration will be under control of the friends of segregation or the proponents of integration."

Mr. Peters is exactly right. Time after time we have pointed out that the question now goes far beyond that of segregation or integration. It is a question of open or closed schools. And those who must take the blame for the latter will face the political consequences. Georgians may be overwhelmingly opposed to any form of integration. But they want public schools and will turn in great wrath against those who have misled them.

The Manchester school leader pointed to the fact that 75,000 teachers and other employes will be out of jobs and that almost a million children would be turned into the streets as a result of closed schools. This represents a voting element strong enough to control Georgia politics and control it they will. The extremists who have vilified every voice of reason will go the way of those who have listened to them and who have refused to permit consideration even of compromise in the conflict between federal and state authority.

Mr. Peters has brought into the open what most politicians privately admit—in this contest between federal and state authority closing of Georgia schools under present state laws is inevitable. Many others have pointed out fully the economic and social consequences of no schools. He has brought forward the probable and almost certain political consequences.

People directly concerned with the schools — teachers, administrators, bus drivers, other employes and almost a million children — make up almost a third of the state's population. Their parents and relatives account for most of the rest. In his position as chairman of the State Board of Education, Mr. Peters is aware of their force.

It is not too late for Georgia's other political leaders to save the state's public schools and themselves. Mr. Peters has done them a favor in pointing out that fact.

TIME TO BE WORRIED

# What of Children Without Schools?

By DR. CHARLES L. ALLEN
Pastor Grace Methodist Church

"Do you believe the schools in Georgia will be closed?" I asked
The man replied, "Yes."
"How long will they stay closed?" was my next question.
"Four years," was his answer.

Dr. Allen

The man I was speaking with is one whose judgment I respect. He is not given to extreme statements but carefully thought out conclusions after he has considered the evidence.

Suppose that man's answers are correct? Just suppose they are! It is pleasant to think, "It just can not happen," but sober-minded people know it can happen and might happen.

I met another man the other day who has stood firm in his conviction that any mixing of the races in the public schools should not be. He is not hot-headed about it. But in his calm, firm way he maintains that much trouble will result from even a few Negroes being enrolled in the white schools. I respect and admire this man. I asked, "What do you say about the present situation in reference to our public schools?"

He replied, "You know my convictions, but on a vote between some integration and ignorance I am compelled to vote against ignorance."

* * *

**THE THIRD** statement made recently which impressed me on this subject was made by a member of the Georgia Legislature. The papers reported that he said, "The second worst thing I can think of is integrated schools. The worst thing is no schools at all."

He went on to say, "I want it distinctly understood that I'm a strong segregationist—but not strong enough to close the schools. If Georgia closes her schools, we'll be at a new low."

Another word recently spoken in my presence seems to make sense. "If those who say so much about 'states rights' were sincere, then they would be willing to grant the same privileges to local school districts and let the people directly involved in each situation decide for themselves which course they shall follow."

I preach to people about how to keep from worrying, but sometimes I don't practice my own preaching. I worry about things and I am real worried right now about what seems likely to happen to the children in Georgia. Two of those children are my own and just now I am thinking more as a father. I keep wondering what I can do to help save my children from a great tragedy—the closing of their school.

*Dr. Allen's column appears regularly in The Atlanta Constitution.*

* * *

**THERE ISN'T MUCH** I can do. But I can think about the situation calmly and reasonably. I can decide what I believe to be the right course. I can take a stand. I can let others know what my stand is.

I know that some will disagree with me and yet will happily grant me my God-given right to have an opinion. Some will disagree and say mean things to me and about me. But in the years to come I will be glad I stood for what I believed to be right.

I vote for free public schools. In reference to even token integration just now, I find myself saying, "If it be possible, let this cup pass . . . nevertheless."

* * *

**MOST THOUGHTFUL GEORGIANS** wish that the issue were not before us at all, or that it might be postponed into the future. But the issue must be met and now.

To say "We will resist again and again and again" brings loud cheers from the majority of the people, but after the final "again," then what? The people in Little Rock and in Virginia decided to the end of the resistance road and found no answers there. The children in Charlotte have come out a lot better.

I can see no wrong in letting the parents in the affected school areas having a voice in that which means so much to the lives of their own children.

# Mayor Cites Disaster In Closing the Schools

The Atlanta Constitution
Atlanta, Ga.

Mayor Hartsfield's annual message yesterday to the Board of Aldermen told of continued progress in meeting the city's problems while managing to keep the books balanced without an over-all tax increase. It was a splendid accounting.

With a cash carryover in excess of three million dollars, no tax increase is anticipated now for general operations. And investment of idle bond funds has yielded enough profit to escape a tax increase for bond retirement.

Faced with problems of growth and the greatest construction program in history, the administration still shows excellent fiscal management and maintains a credit rating matched by few if any cities. For the 21st year it concluded 1959 in the black, a record unequalled in any other large city.

The mayor did not evade the greatest problem now facing the community—one which will determine the whole future of Atlanta and Georgia. "If our schools are closed," he declared, "we can no longer boast of our great material progress. It will do little good to brag about more brick, stone and concrete, while a shocked and amazed world looks at a hundred thousand innocent children roaming the streets."

While looking forward to many areas in which the city can progress, the mayor called on the people to fight to save their schools and to make their views known to the General Assembly. He pointed to experience elsewhere as all the more reason why the schools must be kept open. He called on Atlantans and Georgians to become more a part of the nation, not less, and to shake off the political isolation which threatens us.

Surely all thoughtful citizens also will applaud and agree with the mayor's concluding words:

"We have in the past year proudly proclaimed to the world that Atlanta is a city too busy building to engage in hate. Such a virus finds its way into all phases of government and stops sound, intelligent progress. Let us avoid it at all costs." With our usual good sense and determination, we can do so.

# Pupil Plan Revised To Meet Objections

The Atlanta Constitution
Atlanta, Ga.

By CHARLES MOORE

The Atlanta Board of Education reworked its pupil placement plan Monday to meet objections of U.S. District Judge Frank A. Hooper.

The revision came two days before the Jan. 6 deadline set by Judge Hooper in his Dec. 30 order approving in substance the board's desegregation plan.

The major revisions in the plan speed up the time required to process requests for pupils to switch from their assigned schools.

The board also reelected A. C. (Pete) Latimer as president. He later commented, "I don't know whether I'm lucky or unlucky."

Oby T. Brewer Jr. was elected vice president of the board; Louise Simpson was reelected secretary and Jack Glenn was elected treasurer. The board also voted to rotate the office of chaplain on a quarterly basis rather than name one for the year.

Board member Glenn Frick, in nominating Latimer for reelection, said, "I know of his integrity and I trust his judgment" as he predicted a fateful school year ahead. His nomination was seconded by Dr. Rufus E. Clement, Negro board member.

After his reelection, Latimer pleaded for local control of schools "that each community may have the privilege of determining what is best for its children, with the result that if the people affected desire to continue education, they may do so within the framework of state laws."

Latimer said he and fellow members of the board are "dedicated to the best of our individual and collective abilities to the uninterrupted operation of the schools under our jurisdiction.

"It is to be devoutly hoped that during the coming year," he continued, "peace and good order will prevail, and that means will be found by the good people of Georgia to resolve the conflict now raging over public schools."

Judge Hooper on Dec. 30 upheld the Atlanta board's plan for desegregation on a grade-a-year basis and the pupil placement plan but warned that the plan would have to be administered without racial bias.

The board Monday noted that provisions in the plan would apply to all pupils without regard to race or color.

That includes, board members said, provisions in the first paragraph of the plan which have drawn the fire of officials of the National Association for the Advancement of Colored People.

NAACP leaders said they objected to school officials giving considerations, as called for in the placement plan, to the effect of:

POSSIBILITY OF FRICTION

" . . . the possibility of threat of friction or disorder among pupils or others; the possibility of breaches of the peace or ill will; the effect of admission of the pupil upon academic progress of other students in a particular school or facility thereof . . . the psychological effect upon the pupil of attendance at a particular school . . . the maintenance or severance of established social and psychological relationships with other pupils and with teachers. . . . "

In reply to the Negro attorneys' objection to these criteria, Judge Hooper said there is no reason why they should be applied in a discriminatory way.

RIGHT TO REVIEW

Should school officials "interpret such factors in a way that would be discriminatory the pupil involved would have the right of review," Judge Hooper said in his Dec. 30 order.

However, he did rule out a provision that would have taken into consideration "economic retaliation within the community," and it was dropped by the school board.

Monday's revisions will speed up the time required for a pupil to appeal for a review of his request for a transfer so that a final ruling would be made before the opening of the school year in September.

FINAL RULING

A provision in the plan that said no final ruling on a transfer would be made "until each member of the board of education has considered the entire record" was stricken.

Special school attorney B. D. (Buck) Murphy noted that this provision could make it possible for a board member to indefinitely block a transfer request.

Included in the plan, as called for by Judge Hooper, was a "severability provision" that would keep the major provisions of the plan in effect although sections might be killed by a court suit.

The Negroes have five days to file objections to the amendments.

## 'Like Munich'

The Pittsburgh Courier

# Faubus Hits Pupil Plan

Pittsburgh, Pa.

(Courier Press Service)

ATLANTA, Ga. — Atlantans got a first-hand experience with the sort of attitude shown by Arkansas' Gov. Orval E. Faubus last week when Faubus talked about the school situation in an interview with a local white radio newsman.

Faubus likened the pupil placement plan to a "Munich" such as came just before World War II erupted in Europe.

Referring to Little Rock's use of the pupil placement plan and the resulting quiet in the city, Faubus told Aubrey Morris of Station WSB: "It is a temporary expedient to gain a temporary truce."

Said the onetime soft-speaking Arkansas' governor: "It is true that we now have a period of tranquility just as they had after Munich, but if the NAACP continues with its plans as publicly announced, there will be further strife and the age-old problem which has proved so disastrous in Washington, D. C., Newark, N. J., Baltimore and other cities throughout the nation."

■

**THIS CITY** is in the throes of facing a showdown over admittance of Negroes to white schools or, shutting down the schools should a Federal judge order them integrated. The latter possibility exists in the event the State Legislature fails to enact enabling laws to permit use of a proposed pupil placement plan here.

Meanwhile, the days are drawing nearer and nearer to the fateful March deadline in which Gov. Faubus faces a decision on two big issues, according to reports. In March the Arkansas Louisiana Gas Company will split its stock, and Faubus reputedly holds an option on 100,000 shares at $12 a share. It is now selling at $64 a share, a profit of $52 a share, if he picks up his option.

Also, the time nears when a decision must be made as to whether or not he will oppose Arkansas' Senator John McClellan for a seat in the U. S. Senate this year. Mr. McClellan is up for reelection and told the Courier's roving reporter in 1958 in Little Rock that he wasn't sure if he'd run again. He also admitted that he and Gov. Faubus had talked about the idea and that Faubus had told him he wouldn't run if he (McClellan) ran again. Deadline time is approaching for the truth to out.

# tate's Political Destiny

The Atlanta Constitution

# Rides on Open Schools,

Atlanta, Ga.

# Mayor Hartsfield Says

## ees Voters

Jan 1 18-60

## urning on

Pg 1

## Talmadge

By BRUCE GALPHIN

...n Peter's stand against clos... public schools shows that the ...y of political power in ...rgia rides on open schools, ...or Hartsfield declared Sun...

1+d 9

... mayor said Peters, chair... of the State Board of Edu... and adviser to both Eu... and Herman Talmadge, ... closing of the schools ...ld force the 1962 governor's ... into the general election, ...re the Talmadge Democrats ...ld lose.

Ga

"I predict that it would be the ... election ever conducted un... the county unit system," ...tfield asserted.

**...UBLE PREDICTED**

"When the county unit system ... Sen. Talmadge is in real ...le," the mayor continued. ...ady he's got (former gover... Griffin and (former highway ... chairman Roy) Chalker ...ng on him all over south ...rgia."

...dge Sunday still declined ... directly on Peters' posi... He did use the occasion to ... to resist integration "by ... available lawful means."

... his home in Manchester, ... reported Sunday night he ...ived calls all day about ... "They were all favor... able but one," he said.

Peters said he did not see why his stand should affect his relationship with Gov. Vandiver.

**BYRD PRAISES ALL**

Lt. Gov. Garland Byrd praised not only Sen. Talmadge and Gov. Vandiver but Harris and Peters as well in a statement Sunday night.

The lieutenant governor said "all Georgians hope that integration is not inevitable."

The Atlanta Constitution

House Floor Leader Frank Twitty declined comment on Peters' letter. The Senate floor leader did say the letter "is more inspired by a distaste for Ellis Arnall than for the welfare of the state. I share that distaste."

(The dominant factor in state politics today is the county unit system which enormously dilutes the voice of urban voters.

(It applies only in the Democratic primary and not in the general election. A race has never been seriously contested in the general election, however.)

Atlanta, Ga. 1-18-60 Pg 1

If schools were closed, though, a "terrific emotional issue" will be raised, Mayor Hartsfield said.

"Some candidate is going to come out for opening the schools. They'll mob the courthouse in this county to register.

"An outraged people will not submit to any decision on such an important personal problem on any county unit basis," Hartsfield asserted.

The mayor said Peters and then-Gov. Herman Talmadge saw the "enormous significance" of the general election 10 years ago when they tried to extend the unit system into the general election.

1+d 9

**SPEAKS FROM WISDOM**

"Mr. Peters saw it beaten twice. He speaks from the wisdom of an elder statesman.

Ga

"He knows these people have got to change with the times or die," Hartsfield said.

In his statement Sunday, Sen. Talmadge expanded only slightly on one issued from Washington after it was reported Peters had written a letter to Augusta politician Roy V. Harris attacking Harris for a closed-school stand.

"I do not desire to comment on a private letter of Mr. Peters," Talmadge stated.

"My views are well known to all Georgians and to the nation.

"I am unalterably opposed to mixing the races in the schools of Georgia. I shall continue to resist such efforts by every available lawful means," Talmadge said.

He refused to comment further.

**PROPOSED AMENDMENT**

Talmadge several months ago proposed a constitutional amendment returning control over schools to the states. He suggested at that time that the U.S. Supreme Court's decision could be overturned only by the Congress and the people.

Following is Lt. Gov. Byrd's statement:

"All Georgians hope that integration is not inevitable. We earnestly hope that the schools will not close. Certainly, Sen. Talmadge has demonstrated, both as governor and as senator, that he has every desire to continue segregated public education in Georgia.

"Gov. Vandiver also has demonstrated his earnest desire to continue segregated public schools, both in his speeches and his public actions.

"Mr. Peters and Roy Harris both have labored long and hard in behalf of public education in Georgia, Mr. Harris as a member of the Board of Regents and the legislature, and Mr. Peters as an invaluable member of the State Board of Education. Both Mr. Peters and Mr. Harris have a right to express their views and opinions on all matters of public interest. I will defend their right and the right of every Georgian to express their views."

Gov. Vandiver was not available for comment.

Former Gov. Ellis Arnall, who Peters said might return to power if schools were closed, also was unavailable.

# Open Schools Sentiment Growing, Latimer Says

The Atlanta Constitution

Atlanta, Ga.

There is "more and more support" for keeping the schools open as the public becomes "more and more aware" of the possibility of their closing, the president of Atlanta's Board of Education said Sunday.

Atl. 1-18-60

A. C. (Pete) Latimer was questioned about the school crisis on the television panel show Press Gallery, presented over WSB-TV this week by The Atlanta Journal.

"Court decisions in Arkansas and Virginia have clearly stated that a state can not close one or a few schools," Latimer said. "It would take a suit to close the other schools and Atlanta's Board of Education does not plan such a suit."

1+d 9

Latimer said later in the program that such a suit was almost sure to follow the closing of one or two schools. "When a school is closed, the issue will be met head on," he said. "The court testing won't take as long as you might think. The courts give priority to the school cases."

Commenting on the publication of State Board of Education Chairman James Peters' letter to Augusta editor and politician Roy Harris, Latimer said: "Mr. Peters is dedicated to education and at the same time is a realist. If the schools were to be closed, it would certainly be a powerful political platform to campaign on the stand of opening them again."

Latimer said he believes a local option plan to be much better than any state-wide pupil-placement plan. "We follow different neighborhood patterns in Georgia. What may be right for Macon wouldn't work here," he said.

The Atlanta Constitution

Latimer said that if the federal court acts with its usual speed, May 1 may see a Negro student applying for admission to a white school. (The federal court has the Atlanta board's plan under advisement. After it releases the plan, the board will submit it to the Georgia legislature as directed by the court.)

The school board president said he didn't know whether the establishment of a legislative study commission would satisfy the federal court and give the state "another year of peace and good order."

Latimer said Atlanta's private schools are crowded and could absorb only a few more students.

"The private school plan is certainly private. It's so private you can hardly find it. The grant-in-aid idea might be all right, but where is the student going to find the chalk, the blackboard and the teachers that go to make up a school?"

1+d 9

Latimer said he is optimistic that the people of Georgia are too wise and sensible to let schools remain closed and he can not see the possibility of federal troops enforcing integration orders in Georgia.

Ga

Latimer was questioned by Luke Green, associate editor of the Journal, and Ed Hughes, staff writer. The discussion was moderated by Jack Spalding, Journal editor.

# Keep-Segregation Policy Emphasized by Vandiver

The Atlanta Constitution

## Promises Expansion, No New Tax

Atlanta, Ga. Jan 12-60

By BRUCE GALPHIN

Gov. Vandiver outlined for a cheering legislature Monday a policy of holding the line on segregation and expanding state services by $134 million without new taxes.

The governor made it clear he would stand by present laws calling for closing any school which is ordered integrated.

He urged both colored and white citizens to prevent school-closings by supporting segregation.

But if integration efforts continue, he vowed, the state will fight with "every legal means and remedy."

*Text of speech. Page 10.*

### PLACEMENT ACTION OUT

Vandiver's position and the overwhelmingly enthusiastic response it received from the lawmakers obviously doomed any efforts for "pupil placement" or "local option" legislation this session.

Vandiver, who has built a reputation for retrenchment on spending during his first year in office, startled the Assembly Monday with a proposal to expand spending for schools, mental health, welfare, highways and ports by some $134 million.

"The theme of our efforts during the past 12 months has been cleanup and economy," he asserted. "The theme of our efforts at this session and throughout the year is reorganization and progress."

His spending program, meeting the most insistent demands of the assemblymen, is expected to remove any potential opposition to the rest of his program.

### $100 MILLION ON SCHOOLS

He asked the legislature to authorize $100 million's worth of building by various bonding authorities. These included:

Sixty million dollars for common schools, $8 million for area trade schools; $6,460,000 for hospital buildings at Milledgeville; $2,720,000 for an Atlanta intensive treatment mental hospital; $3 million for the Gracewood school for mental defectives; $4 million for an industrial prison; $500,000 for two security wings at Reidsville; $12,370,000 for new university system buildings.

Annual bond payments for this new program would run almost $8 million a year.

In addition, the governor outlined about $5 million in nonrecurring cash outlay (for ports and an educational television station at Waycross) and $28 million more annually in operations.

Popular with the legislators was a promise for giving Georgia's 30,000 school teachers $200 across-the-board raises and putting $10 million more in highway spending.

The governor also took steps to make good on a campaign pledge of restoring the independence of the legislature.

This cannot be accomplished, he declared, until "the people's elected representatives in the General Assembly have restored to them their rightful responsibility of appropriating money."

And there can be no new appropriations act until the hand-tying allocations amendment is modified, he added.

Atlanta, Ga. Jan 12-60

### ASKS WIDER BUDGET STAFF

Vandiver proposed removing tag receipts from the allocations amendment, so that only motor fuel taxes would mandatorily be allocated to the highway program.

He also called for an expanded finance commission and asked authority to hire more budget staff assistance.

The governor called for adoption of some 30 reorganization bills, including a plan for earning interest on deposit of idle state funds.

As expected, he called for withholding of state income taxes and pleaded with the legislature not to introduce "unrelated material."

He obviously referred to efforts by some to amend the bill by allowing Georgia taxpayers to deduct federal income tax payments when figuring Georgia taxes.

### INSISTS ON SEGREGATION

Vandiver concluded his speech—and drew the heaviest applause—with his insistence on segregated schools.

"I call upon the responsible people of this state through unified public opinion—both white and colored—to make it certain that Georgia will not be the victim of conditions like those which exist in Washington, D.C.; Detroit, Mich.; New York, Chicago, that even now are plagued by racial tension, conflict, hatred, bitterness and violence," he said.

But if integration suits are pursued, he continued and "if it should become necessary, I will keep this legislature in session constantly to help me in protecting the welfare of our children."

## NAACP Opens Desegregation Drive in Cobb

The Atlanta Constitution

Atlanta, Ga. P. 1.

Ga. 1-8-60

By MARION GAINES

A drive to desegregate schools in Marietta and Cobb County was launched Thursday as the NAACP called on officials of the two school systems to draw up plans for integration.

The Marietta-Cobb chapter of the National Association for the Advancement of Colored People also expressed hope that white school officials would "work up and make public" desegregation plans before the 1960 General Assembly is adjourned.

Both Cobb and Marietta school officials greeted the NAACP's surprise move with a flurry of "no comment," but one white school leader declared:

"It came like a bolt from the blue."

The requests that desegregation plans be drawn up were made in letters sent to Henry Kemp, Marietta school superintendent, and Paul Sprayberry, county superintendent.

The letters were signed by J. L. Hutson, president of the Marietta NAACP; the Rev. J. W. Cook, secretary, and Elsie Dinsmore, treasurer.

After the Marietta Board of Education had huddled in a special meeting, Superintendent Kemp said only that "we are studying it."

Kemp and County Superintendent Sprayberry declined further comment, pointing out that the county school board has a "regular meeting next Wednesday" and the city board next Thursday.

The NAACP action in Cobb County came on the heels of the submission by Atlanta school officials of a revised desegregation plan in U.S. District Court.

At Marietta, Rev. Cook said the NAACP letters requested Cobb and Marietta school officials "to devise and make known plans for desegregation."

He said the letters also expressed "hope that the plan could be made known before the General Assembly adjourns."

Cook said points set forth in the letters included contentions that:

(1) Negro children in the county live in such areas as "Elizabeth, Liberty Hill and Gresham road, but they must go to school elsewhere."

(2) Negroes in Marietta "live close to" such white schools as "Allagood Road, Park Street and Marietta High" but are forced to attend Negro schools farther away from their homes.

In the Cobb County school system, some 20,000 white students now attend 26 elementary schools and six high schools. About 1,000 Negroes are enrolled in the county's three Negro elementary schools; the county has no Negro high school.

In the Marietta system, about 3,300 white pupils are enrolled in eight elementary schools with 1,150 white students at Marietta High. The city system has one Negro elementary school with an enrollment of 699.

The city's Lemon Street High for Negroes has some 350 students (including about 125 who live outside the city).

Associated Press Wirephoto

WOMEN OF OGLETHORPE PRESBYTERIAN IN CHAMBLEE BROUGHT SIGNS TO HOUSE GALLERY

*Church Members Said They Wanted to "Do What We Could About Keeping Schools Open"*

# Inattentive House Hears Pupil Plan

The Atlanta Constitution

Atlanta, Ga.
Jan 1 - 22 - 60

BY RICHARD ASHWORTH

The Atlanta Board of Education's school desegregation plan was received by Vandiver administration leaders Thursday and was read without comment to a somewhat inattentive Georgia House.

As if they regarded what was happening as unimportant, House members chatted, walked about and read other matters as the school board resolution adopting a grade-a-year integration schedule was read by House Clerk Glenn Ellard.

The plan, adopted in accordance with an order from U.S. District Judge Frank A. Hooper, was not in legislation form. But Fulton County Rep. M. M. (Muggsy) Smith said he has a bill on the plan ready now.

Smith said he will appear before the House State of Republic committee Monday afternoon and offer the bill as a substitute for an Alabama-type pupil placement bill he introduced last year. That bill is still in the committee's hands.

Copies of the placement plan were distributed to House members shortly before it was ordered read by Speaker George Smith II. Smith and Lt. Gov. Garland Byrd, presiding officer of the Senate, received the plan about noon from B. D. (Buck) Murphy, school board attorney.

Murphy, who defended the board in the federal court integration case which resulted in the desegregation ruling, also conferred with Gov. Vandiver.

The governor, however, declared that he and Murphy "discussed other matters."

Vandiver and Speaker Smith and Floor Leader Frank Twitty conferred for almost two hours after Murphy arrived. But the governor said the desegregation plan was not "in the discussion." He declined comment on exactly what was discussed.

While the plan was being read, a group of about 25 women, members of the Oglethorpe Presbyterian Church in Chamblee, sat in the gallery of the House. In the lap of each was a sign that said, "We Want Public Schools."

"We wanted to see how the legislature worked," Mrs. Betty Ronat, president of the women of the church, said.

The plan was not read in the Senate because that body was tied up with the reading of the 159-page insurance laws revision bill. Reading of that bill—which had tied up the House for some two days—was still in progress when the Senate adjourned for the weekend.

### TO DISTRIBUTE

Lt. Gov. Byrd said he could have the school plan ready Monday and would have copies of it made and distributed to senators. After it is read, Byrd said he would have the Senate secretary "file it in the same manner as are other communications received by the Senate."

Byrd pointed out that he has "no authority under the law to introduce bills or resolutions." He added that "no action can be appropriately taken until it is put before the Senate in the proper manner."

House Speaker Smith also had read to the House members a copy of a letter of transmission he received with the plan, along with a letter of reply he dispatched to board attorneys in which he simply acknowledged receipt of the plan and letter.

### ROUTINE BUSINESS

When reading of the letters and the plan was completed, the House continued with routine business of first reading and referral of Senate bills and resolutions.

The joint letter to Smith and Byrd—which was signed by Murphy and by city attorneys Jack Savage and Newell Edenfield—pointed out that operation of the plan is contingent upon enactment by the Legislature of permission legislation.

It pointed out that Judge Hooper had ordered the board to present a complete plan designed to bring about compliance with his order for a "prompt and reasonable start toward desegregation of the public schools" of Atlanta.

"The order further provided that 'such plan may be submitted contingent upon the enactment of statutes permitting such plan to be put into operation'," the letter added.

### ADOPTED BY BOARD

It explained that the plan had been adopted by the school board, approved by the federal court and was now being transmitted to the House and Senate in accordance with the directions of the school board and the court order.

At no place in the letter does it specifically ask that legislation be passed.

However, A. C. (Pete) Latimer, school board president, said the Board of Education "hopes such legislation as is necessary to allow it to operate the plan under Georgia laws would be enacted."

Fulton Rep. Smith declared that this can be accomplished by passage of the bill he will offer Monday and of five bills he previously introduced to repeal Georgia segregation statutes which would stand in the path of the plan's operation.

### OBEYING ORDER

"If we could pass my five repealing bills plus the placement bill, we could keep the schools of Georgia open and would be obeying the judge's order," he stated.

Smith said he did not agree with contentions that no legislation is necessary to put the school board plan into effect. "I disagree with that," he asserted. "I think the bills are necessary for the uninterrupted operation of the Atlanta school system."

Floor Leader Twitty already has said that one of Smith's repealing bills—knocking out a law prohibiting the use of tax funds to support integrated schools—has "not the slightest" chance of passage.

The only such bill getting any support is one co-signed by Fulton Rep. Ralph McClelland and Twitty to ease the school board's financing problems during the integration crisis.

### REITERATES BACKING

Gov. Vandiver Thursday reiterated his backing for that bill, which amends a 1959 act. "I favor that one because the Atlanta school board cannot borrow money (under the 1959 act). This would clarify the situation," Vandiver said.

The bill would allow the city to levy taxes for its schools until integration starts. Taxing powers would then be cut off for integrated schools but would continue for segregated schools, under the amendment's provisions.

As read to the House, the school board resolution says that "student assignment" will begin about Sept. 1, 1960, "without regard to race or color," following "favorable action by the General Assembly of Georgia."

Students in the 12th grades will be affected the first year the plan is in effect. Thereafter, the plan will be expanded to lower grades year by year until all grades are included.

### FOR APPROVAL

"These rules and procedures shall be contingent upon enactment of statutes by the General Assembly of Georgia permitting the same to be put into operation, and shall be submitted to the General Assembly for approval," the last paragraph of the plan says.

Rep. Smith, who has expressed doubts that the Legislature would enact the permissive legislation, commented Wednesday that he nevertheless felt [illegible]

"is going to bring this thing to a conclusion when the Legislature is over."

Fulton Sen. Charlie Brown said he understood the Atlanta school board plans to ask for a meeting next week with all members of the Fulton and DeKalb delegations "regarding the grave situation" facing the city's public schools.

# Seventh Congressional District Speaks For Keeping Open Schools

## Sibley To Continue To Ask Questions By Race

By PAUL DELANEY

CARTERSVILLE, Ga. (SNS)—Georgians of the Seventh Congressional District spoke out overwhelmingly in favor of keeping the state's schools open in spite of desegregation, at the hearings before the School Study Commission here Thursday.

An Episcopal minister, the Rev. Charles Demere of Marietta, in full state and most emphatic, said that he favors local option. "I'd hate to see politicians destroy a living institution - public education, to preserve a dying one - segregation," he stated.

A vast majority of whites and a few Negroes testified at the third of 10 scheduled hearings. The commission headed by Atlanta lawyer-banker John Sibley will be in the southwest Fourth Congressional District town of LaGrange Friday.

**LOCAL OPTION**

Person after person echoed and reechoed, "I favor local option" in the packed courtroom. Most of them represented some organization which holds a concurring opinion. Many were individuals who came through ice, mud and slush to appear before the group.

The first Negro to testify was 71-year-old Rev. Rosmond Kay, a retired teacher of 40 years, who said that the people of Georgia only know separate schools. "We are afraid of something we know nothing about. But we can learn to live together."

He said the issue's getting too much publicity, "everything is n—r n—r, n—r. We should be law abiding. The Supreme Court's decision is the law of the land and we should live by it. I obey all laws."

When he said he obeys all laws, a white man on crutches asked permission to question him. Sibley denied the request, but when Kay left the stand the man said he wanted to know if Kay obeys not only federal laws but state, county and city laws as well. They revealed they were old friends and shook hands (see photo).

Sibley and Rev. Jesse Cook, treasurer of the Marietta-Cobb branch NAACP, engaged in a verbal clash over Sibley's pronounciation of the word, Negro. Sibley, who pronounces it, "nigra" like many white southerners, said that it was only a matter of whether the first or last syllable is stressed.

Afterwards, in his conversation with Cook, he pronounced both "nigra" and Negro, very distinctly and in perfect English. However, he later continued use of the former word.

**COMMENDS HOOPER**

Sibley, before the hearings got under way at exactly 10 a. m., made his regular statement and commended Federal Judge Frank Hooper for regarding the work of the commission and the chance the people are getting to express themselves.

Sibley also mentioned why he uses two sets of questions, one for whites and the other for Negroes. "It's a different situation with our colored friends," he stated.

Since Negroes brought the desegregation suit in the first place, "it would be foolish to ask them 'do you want to close the schools if they put some of your people in our schools? I ask them if it would be better for their race to have mixed schools or not. That is a pertinent question."

"If Negros put great value on their schools, we say that is a right, a great right." He said that when there are Indians, Negroes and whites, the "Indians want their own schools."

"This is the only nation where people of two races have their own schools; have their own teachers." He said he would continue to ask the questions his way (and he did).

The local option yeas went something like an attendance roll call of a big body R. M. Stiles, a farmer and member of the Bartow County Chamber of Commerce board of directors, was the first to be called up.

"I would hate to see the children of the state deprived of an education because one school faced integration," he said.

Cook stated that there "must not be any inequality in the United States." He said that separate schools have proved to be unequal and said that he favors desegregation.

Mrs. Mary McCall, Acworth, a physician's wife, caused one of the many outbursts of the day when she told Sibley, "I favor local option. If you'd been shut up with six kids durin gall that ice and snow you'd want it too.

**WANTS THE AXE**

Kankakee Anderson of Fish Creek former superintendent of Polk County schools ,said that "We want to determine the fate of our own school system. If our great schools must be destroyed, we want to be the ones to destroy em!

"I am in favor of uninterrupted public education in compliance with the Supreme Courts ruling, stated Mrs. J. H. Ginsberg of Dalton. "I also am in favor of amending Georgia law in compliance with the law of the land."

"I prefer parents choice," said Harold Mann of Dalton, father of three girls. "I'll say this, from the governor on down, if I can't have it I'll see if I can't retire him."

Rev. Gilbert Stedham, a Methodist minisetr of Murray County, told the commission, "I believe that within the framework of education democracy is best taught I am for pupil placement. We must try to keep Christian principles uppermost in this matter."

The first minister to come out wholeheartedly against local option and for closing the schools was Rev. Oswell D. Wilson, of the Church of Christ and the Cobb County White Citizens for Segregation. He said his 700 followers stand one-hundred per - cent for segregation.

Sibley interrupted him as he started mentioning the NAACP. However, he got in that Negroes are for integration. Sibley told him to let the Negroes speak for themselves.

**AT ANY COST**

Willie Reese, a Negro warehouseman wants to "keep the public schools open at any cost .... Keep the schools open but seperate." Rev. Clement Harris, who said he is a building contractor, also desires the schools segregated.

"We are not qualified for integration as yet," he stated. "Let us brighten our corner first and be thankful that we are in a land where we can go to school."

Charles Sheffler of Marietta said that he "favors closing the schools. Colored people have been living in a desert for 100 years. Now a group of people have offered them a drink and the canteen is empty . if one offers them water he 'white man) must take the first drink, and he does not want to drink behind a colored person."

Cartersville spectators were reminded time and again about applauding. Sibley pounded the gavel more than he had done at the other two hearings and he told them that it seemed a chairman was not needed.

Federal Judge Frank Hooper has indicated he will take into account the findings of the commission. He has postponed until May 9 a decision in an Atlanta school integration case. The U.S. judge's ruling is currently being appealed by the attorneys for the Negro plaintiffs in the case.

## School Study Panel Moves To Douglas

Constitution State News Service

DOUGLAS—Southeast Georgians from all over the Eighth Congressional District will convene in Douglas Monday to tell the State School Study Commission what they think about integration and the schools.

The hearing here will be the first of three scheduled this week. Others will be at Sandersville (Sixth District) on Wednesday and Sylvania (First) Thursday.

About 300 persons have already notified before the commission of the public hearings to the state Legislature.

(Third), Washington (Tenth), Cartersville (Seventh) and LaGrange (Fourth).

Atlanta banker John A. Sibley, chairman of the commission, has until May 3 to report the findings in America

BRIDGE OF UNDERSTANDING

# A Basic Good Sense Prevails Between the Races in Georgia

By EUGENE PATTERSON

A BASIC GOOD SENSE exists in Georgia. It lives alike in the white and colored races. It has been present in recent conduct. It is going to prevail.

On the one hand is the Sibley commission. Churchill said "When eagles are silent, the parrots begin to jabber." The parrots have had their day. Good men make up the commission.

### A PERFECT JOB

They are not doing a perfect job of sampling public school sentiment around the state. Their complex line of questioning has not yet simplified the alternatives to their clearest terms. Those who do not wish to listen closely can still deafen themselves to the hard part.

But the hearings are being conducted responsibly and dispassionately. The commission is putting the facts into one wrapper, including the hard part, and fastening the burden of decision gently but firmly upon the shoulders of the people.

The commission's greatest service has been to make very clear a point we must recognize — that under a Norfolk court precedent, we may not operate public schools in Americus if we close them in Atlanta; that if one school is closed by the state, all schools in the state can be closed.

The alternatives, as stated, are either to give each community the option to open or close its own schools, or else be ready to shut them all everywhere in the state and try to set up private schools with financial help to students through state grants of money.

Perhaps too much hope is being encouraged in the grant-in-aid plan. The Supreme Court has warned it will not permit state governments to participate in evasions of its school ruling through arrangement, management, property or funds.

But the commission is pointing out that the grant plan is untested in court. And it has adopted the legal position that the plan is constitutional unless it is ruled otherwise. Even so, the commission has suggested the people consider whether they still want private schools even if state grants are outlawed.

So the hard part is there. It will sink in fully as the hearings proceed.

### THE GOOD SENSE

With the facts stated, and the good sense of the people brought into operation, people who believe in the judgment of Georgians can abide in faith that they are going to let each community make its own decisions rather than topple the entire structure of their children's education for the sake of forcing their opinions on other communities.

On the part of the Negro, his restraint in Georgia during the street demonstrations in other states is a measure of his responsibility. The statement made by the Negro college student bodies of Atlanta this week carried a force and dignity that the other students abdicated when they took the issue into the streets, which is not the place for the white man or the Negro to settle differences in this time.

It is the little man who feels he must prove something. Bigger men have no such need; they have listeners when they speak.

A basic good sense does exist in Georgia.

*Eugene Patterson is executive editor of The Atlanta Journal-Constitution.*

# Desegregation no bar to progress

ATLANTA — Desegregation of schools has not harmed the academic progress of white students nor has it lowered academic standards.

This was the burden of two reports released by the Southern Regional Council.

One of the reports, "Racial Differences in Academic Achievement," analyzes the findings of tests conducted in Atlanta in 1956 by the Educational Testing Service of Princeton and the experience of the desegregated schools in Washington, D.C. It was prepared for the Council by Dr. Frank H. Stallings, Associate Professor of Education, University of Louisville.

The second report, "Desegregation and Academic Achievement," summarizes the testimony of 12 administrators of desegregated school systems before the U.S. Commission on Civil Rights.

* * *

**IN THE** Commission testimony, not one of the 12 administrators who dealt with the question reported that desegregation had harmed the academic progress of white students or had lowered academic standards.

Asked about the work done by white pupils in desegregated schools, Dr. Ward I. Miller, superintendent of schools, Wilmington, Del., testified:

"...The accomplishment of the average white student is better than it was. The accomplishment of the above average and the advanced placement and honor classes is truly remarkable..."

Testifying concerning the Nashville, Tenn., schools, Superintendent William Henry Oliver said:

"...I haven't noticed any effect one way or another on the educational success of the children, either white or colored where they are together."

Similar testimony came from ten other school superintendents.

* * *

**DR. STALLINGS** reported in the Atlanta study that, under a segregated system; more white than colored pupils met standards set by the top 50 percent of the national test group. However, the survey also showed that differences within any racial group are greater than differences between groups.

The Atlanta tests, Dr. Stallings pointed out, showed considerable overlap between white and colored scores. On all tests, the scores of 35 percent to 65 percent of the white students were matched by 35 percent to 65 percent of the colored pupils. In other words, "roughly half of the white and colored students were about equal in achievement." The tests also showed that few colored schools showed higher averages than did some of the white schools.

Reporting on Washington's schools, Dr. Stallings said, "...marked progress has been made in academic achievement. From the time the first city-wide tests were given in 1955-56 to the time when the 1958-59 tests took place, a gain was made in the median score for every subject tested at every grade level where the tests were given."

Dr. Stallings reported that data collected by community agencies and the school system also "show that integration was accompanied by a definite decrease in incidents of juvenile delinquency among the non-whites and a reduction in drop-outs between the 9th and 10th grades for both racial groups."

# Second District Loud For Closings Or Segregation

By PAUL DELANEY

MOULTRIE, Ga. (SNS) — A majority of Georgians in this Southwest section of the state testified before the School Study Commission that they would prefer closing all schools rather than see desegregation in any school district.

The point was brought home again and again that the schools must be segregated, if there are to be any at all. The commission holds its next hearing in Atlanta Wednesday at Grady Heights School auditorium, and finishes its ten scheduled hearings at Gainesville Thursday.

Mitchell County started the barrage of "Close 'em at all costs" as every white citizen from there appearing before the commission, whose chairman is Atlanta lawyer, banker John A. Sibley, said he desired private schools to replace public schools.

County officials, civic and social leaders, businessmen, housewives, P. T. A., and American Legion representatives, farmers, ministers, mayors, principals and one lone Negro, iterated and reiterated, "Close 'em."

A majority of Negroes voted for local option, but said they favored separate but equal schools - emphasizing the equal. However, Henry Combes, ex-shoe shine boy, who said he was a preacher, and a "God sent man," stated:

"God's will made me black; His will made you white. If we try to change that we'd be going against God's will. One way to keep me black, and to keep you white is segregation."

Shouting, he said, "If it takes closing schools to keep me black and to keep you white, by the help of God close the doors."

Combes thus became the first Negro to advocate all out closing of the schools.

Local option picked up supporters as the day wore on, coming mainly from ministemal groups, and urban civic and community organizations.

"Closing the schools would be undemocratic and unchristian," said Mrs. Glenn Burton, of Tifton.

It was a rather noisy audience at the local high school gymnasium here as Sibley repeatedly had to ask there be no applauding. Combs drew one of the biggest applauses, as did W. K. Daniels, who shouted.

"I'm a democrat and I'm white. Close every school-they don't have too much sense anyway. High education! Why, I don't even have an education, yet I have more sense than Eisenhower, Nixon, Senator Douglas, of Illinois, Senator Javis and Governor Collins, of Tallahassee, Fla."

Other Negroes appearing were, The Reverends. T. R. Lawrence and M. W. Merritt; Fred Yates, Raymond Jenkins, O. J. Strong, James Robinson and Mrs. Gladys Walton.

The Atlanta hearing starts promptly at 10 a. m. Wednesday, and is open free of charge to everyone.

WORK OF TINY HANDS FALLS

# Their Yule Scene Torn Up by Blast

The Atlanta Constitution p. 1
Atlanta, Ga.
Thurs 12-13-60

By BRUCE GALPHIN

The classrooms at English Avenue Elementary School looks like the ones you attended or the ones where you send your own children five mornings a week.

Except for the chaotically twisted slats of the venetian blinds . . .

And the unbelievably tattered roller shades . . .

And the tens of thousands of window pane fragments, fashioned in a roaring instant into showers of darts. The slivers blanketed the eight little tables and 39 tiny chairs in the first grade classroom, a cruel parody on a Christmas snow scene.

CRUNCH UNDERFOOT

They crunched underfoot beneath a poster of reindeer pulling a sleigh, and the child-like crayon drawings of red-jacketed Santas.

They lay in the chalk tray of the blackboard with the sign: "Christmas. Santa Claus comes on Christmas Day. Merry Christmas."

Curiously, all but eight toy blocks of an elaborately built structure withstood the shock wave.

In the first-grade cloakroom, a child's jacket, forgotten in Friday's milder weather, hung amid the litter of glass and blast-whipped paper.

"MERRY CHRISTMAS"

The 41 desks on the second-floor third-grade classroom are a little larger, but disarray was the same.

The children had made a Christmas tree for the bulletin board out of rings of colored construction paper. A block-letter message read: "We wish you a merry Christmas and a happy New Year."

The force of the blast knocked over a stand listing numbers and letters of the alphabet, which fell at the foot of list of good conduct rules.

In the front of the room a gust from the concussion had thrown an American flag to the floor.

"BE FRIENDLY"

On a bulletin board which bore a color photograph of President-elect Kennedy and Vice President Nixon, a savings bond poster and the membership roll of the Junior Red Cross, a sign admonished "Be friendly, not rude."

The children who attended classes in the two rooms—at least those who showed up in Monday's confusion and fear—were moved elsewhere in the school.

So were the six classes which studied by television in the school auditorium, where the blast also spewed deadly fingers of glass.

If the auditorium is repaired in time, Principal B. S. Burch of the 1,600-pupil school said, the annual PTA Christmas program will be presented there next Thursday.

# Atlanta Cannot and Must Not Tolerate Cancerous Growth of Bigotry and Hate

The Atlanta Constitution p. 4
Atlanta, Ga.

Two years ago last October Atlanta's Jewish Temple on Peachtree street was bombed late in the night with an appalling destruction of property.

Now it is a school that is bombed in the early morning hours of Monday, with thousands of dollars in damage to public property. Private homes in the neighborhood were badly damaged.

Again fortunately there was no loss of life. But there could have been and it is more than obvious that those who have perpetrated these outrages against the good name of the City of Atlanta have neither respect for property or person.

These cowardly actions are crimes against every citizen of this community. As long as there are such persons loose among us, none is safe. No church, no school, no business house or home can be called secure when there are such diseased, hate-filled minds at work under cover of darkness, plotting violence and destruction.

Thurs 12-13-60

To what extent is the community responsible? How much to blame are some of our political leaders who preach defiance of law? How can those organized groups such as the Klan proclaim their peaceful intent when one of their leaders loudly exhorts its members on the schools, "Let's burn them up; let's close them up!"?

Mayor Hartsfield blames most of the trouble on people who do not live inside the limits of Atlanta. He says further they are "going to intimidate neither the government of Atlanta nor its good citizenship." He warns that unless the good people of the city assert themselves, a few little, loud-mouthed racial demagogues will be mistaken for the voice of Atlanta.

No matter from whence they came—whether they be outsiders or the home-grown variety—the picture they have given the world of Atlanta today is of a school bombed in the night. It is an image which mirrors a community's shame. These and other incidents of violence are not the voice of Atlanta but they have made victims of all of us.

This community cannot and must not tolerate the cancerous growth of bigotry and hate and their expression in violence and destruction. Let the guilty be brought to justice and let Atlanta serve notice that the hatemongers and spawners of discord are not the voice of this community!

Meanwhile, let us all remember today that the big story from Atlanta everywhere — including Europe, Asia, Latin America, Africa and those countries behind the Iron Curtain—is of a school bombed in the night.

CRUEL CHRISTMAS PARODY

# Blast Rips Work Of Little Hands

The Atlanta Constitution
Atlanta Ga.
Thurs, 12-13-60

By BRUCE GALPHIN

The classrooms at English Avenue Elementary School look liks the ones you attended or the ones where you send your own children five mornings a week . . .

1-27

Except for the chaotically twisted slats of the venetian blinds . . .

And the unbelievably tattered roller shades . . .

And the tens of thousands of window pane fragments, fashioned in a roaring instant into showers of darts. The slivers blanketed the eight little tables and 39 tiny chairs in the first grade classroom, a cruel parody on a Christmas snow scene.

They crunched underfoot beneath a poster of reindeer pulling a sleigh, and the child-like crayon drawings of red-jacketed Santas.

They lay in the chalk tray of the blackboard with the sign "Christmas. Santa Claus comes on Christmas Day. Merry Christmas."

Curiously, all but eight toy blocks of an elaborately built structure withstood the shock wave.

In the first-grade cloakroom, a child's jacket, forgotten in Friday's milder weather, hung amid the litter of glass and blast-whipped paper.

The 41 desks on the second-floor third-grade classroom are a little larger, but disarray was the same.

The children had made a Christmas tree for the bulletin board out of rings of colored construction paper. A block-letter message read, "We wish you a merry Christmas and a happy new year."

The force of the blast knocked over a stand listing numbers and letters of the alphabet, which fell at the foot of list of good conduct rules.

In the front of the room a gust from the concussion had thrown an American flag to the floor.

On a bulletin board which bore a color photograph of President-elect John F. Kennedy and Vice President Richard M. Nixon, a savings bond poster and the membership roll of the Junior Red Cross, a sign admonished "Be friendly, not rude."

The children who attended classes in the two rooms—at least those who showed up in Monday's confusion and fear—were moved elsewhere in the school.

So were the six classes which studied by television in the school auditorium, where the blast also spewed deadly fingers of glass.

If the auditorium is repaired in time, Principal B. S. Burch of the 1,600-pupil school said, the annual PTA Christmas program will be presented there next Thursday.

# Judge Alverson Warns Against School Closing

By WILLIAM FOWLKES
Managing Editor, Atlanta Daily World

Superior Court Judge Luther Alverson warned Georgia that they cannot sit idly by and see the closing of the Butler Street YMCA Hungry Club forum on "Georgia's Potentiality and Responsibility During the Decade," Judge Alverson declared:

"The most important issue in the state of Georgia at this time is whether or not public schools are maintained. The Supreme Court of the United States has spoken in no uncertain terms that it will not tolerate any subterfuge with regard to the school problem. It has said every legal question relating to the use of public buildings for private schools and to the operation of public schools has been decided in no uncertain terms. Every possible legal question was raised in the state of Arkansas and in the state of Virginia. The question before the citizens of this state today is not public versus private schools. The real question is public schools or no schools at all. The actions of our leaders within the next few months or several years will definitely affect the mind, body and and financial status of the children of this great state during the next decade.

"The businessmen at Little Rock sat idly by and saw their business-es wither with the emotional school issue. The businessmen of Georgia had better stop, look, listen and act if they wish to avert bankruptcy and tragedy.

"FOR CONCERN

"The Atlanta jurist said further that he was delighted that several leaders had spoken out on the schools during the last few days. It is now time for the Chamber of Commerce and the Junior Chamber of Commerce and the leaders of this state to show that they are deeply concerned and that we cannot continue prosperity and industry to this state until the shool problem," Judge Alverson pointed out, painting a picture of gloom for education and business if the schools close.

"The Board of Education, which he said is in a dilemma of "conflicting" laws, could file a petition in federal ourt for declaratory judgment to settle the alleged constitutionality" of many contentions, he answered one query.

Noting the ill effects and damage of prejudice, Judge Alverson declared:

"Outsiders still have some prejudices against people here in the state of Georgia. For example, it would be impossible for a citizen of the state of Georgia to be president of the United States at this time. This is because that certain people of our nation have a natural prejudice against the South. We do not like for other people to have prejudice against us. Therefore, we should be certain that we resolve any prejudices that we may have in our own hearts within our own state. It boils down to a question of who is doing what to whom. I believe that outsiders would remove their prejudices against us if we eliminated our own prejudices."

**ECONOMY OF ABUNDANCE**

The speaker said that the 1960's will "confront a economy of abundance if we accept it." He added: "There are still pools of poverty which have to be mopped up, but the central problem will be increasingly that of fighting for individual dignity, identity and fulfillment in a fluent mass society. The new issues will be rather those of education, health, equal opportunity, between frustration and fulfillment in the everyday lives of average persons . . . A guiding aim, I believe, will be the insistence that every Georgia boy and girl have access to the career proportionate to his or her talents. Basically, the issue in the 1960's will be freedom. Let us hope that our leaders will use the events of history as a stepping stone for the future."

J. R. Henderson, manager of Perry Homes and member of the Hungry Club Executive Committee, moderated the Hungry Club session.

# Judge Asks Open-School Court Fight

Atlanta school officials were urged Friday by a Fulton County jurist to carry the open-schools fight into federal court in the event the General Assembly holds fast to its segregation-at-any-price attitude.

Superior Court Judge Luther Alverson, a former member of the Legislature himself, suggested the city school board could petition U.S. District Court here for a ruling on the constitutionality of state segregation laws.

In making a personal appeal for "every effort" to be made "under the law to avert the closing of any school," Judge Alverson said Atlanta officials should turn to the federal courts only if the current Legislature adjourns without taking any positive open-schools steps.

"The presumption is that the federal court would issue orders throwing out the (state segregation) laws," Judge Alverson said, adding that Atlanta then "could implement" its court-ordered desegregation plan "and no schools would be closed."

He also called on Georgia businessmen to speak up in defense of public schools, warning that they "have as much or more to lose as anyone."

The Georgia Chamber of Commerce and its Atlanta counterpart therefore "should act" now, he said, "rather than be complacent as were the businessmen in Little Rock."

In the Arkansas capital, he said, "They waited until the cow got out of the pasture before they fixed the fence."

Alverson, who was a Fulton County delegate in the Legislature for some four years, suggested the Atlanta education board could react to rebuffs from the General Assembly by filing in U.S. court "a petition for declaratory judgments."

City officials could tell the court, he suggested, that they "are in a dilemma" because of "certain state laws that prevent" implementation of Atlanta's gradual desegregation plan.

Alverson said it "took decades" to build up the University of Georgia, Georgia Tech and the Atlanta school system and warned it "will take decades to rebuild them if they are closed for even one day."

School closings would leave Georgia "blighted for years to come," he said.

14d(1) 1960

GEORGIA

REP. IRIS F. BLITCH (D-GA.)
(MRS. BLITCH)

# No Compromise On Integration, Georgian Says

The News + Courier
Charleston, S.C.
Mon. 1-25-60

WASHINGTON (AP) — Rep. Iris F. Blitch (D-Ga) said Sunday there can be no compromise on the integration question.

Calling on Southern women to speak up in their national organizations, Mrs. Blitch said:

"We must stand up and fight for the things we believe in. There can be no compromise. There is no such thing as a little integration."

Mrs. Blitch, speaking on the weekly Citizens' Council Forum program for radio and television, also said a group in Atlanta which prefers integration to school closings is "confused. They simply have not taken the time to look at the situation as it actually is."

Then she said the Georgia state leadership is committed to maintain the public school system, if at all possible. She added:

"No one in Georgia wants to close our public schools. If they are closed, it will be by fiat of the United States Supreme Court."

Mrs. Blitch also said that women sense what she called the social danger of racial integration more deeply than men.

"We are responsible for raising our children," she said. "We are close to the problem."

14d(1) 1960

GEORGIA

SENATOR CHARLIE BROWN

2

# Brown Asks Schools In Stay Open

...Atlanta school desegrega-...pupil placement plan was ...Monday afternoon to the ...Senate, along with a plea ...schools by Fulton ...Charlie Brown.

...the plea, Mr. Brown said ...there was no need for im-...the plan at present, but ...he may later seek the sen-...help in the Atlanta crisis.

...Brown's statement said in part:

..."Much has been said about the ...of closing the public schools ...economy through the loss ...ing industries and the loss ...industries. Much has been ...about the effect of closing the ...on the crime rate and on ...attempt to compete with the ...in producing trained tech-...and scientists.

...wish to speak on these ...although they are, of ...important. My interest is ...children in Atlanta ...nine hundred and ...thousands enrolled in the ...of our State.

...the present day ...officials and businessmen ...suffer as a result of the ...but these children, ...other children who have ...school as yet and some ...who will be affected by ...of the schools. Our re-...is first to these young ...the state. It is not just ...duty as the Senator ...Senatorial Dist. ...your responsibility.

...PEOPLE

...young people are the ben-...of our public trust to ...adequate public schools. ...I are trustees of these ...school facilities, teach-...homes. I do not have to ...mind you that Georgia has made ...annual progress in the field of ed-...cation since the minimum founda-...tion program of Education was ...adopted. You and I did not create ...and develop the public schools of ...Georgia.

..."Our forefathers struggled and ...many sacrifices to make our ...school system of education ...what it is today. We are not the ...owners of this education privilege. ...Therefore, we do not have the ...right to take it away. The children ...this State are due from us what ...is rightfully theirs and what has been given them by the generations that have preceded us. It is our duty as trustees of this public school system to see that its beneficiaries receive their bounty.

"I ask you, Gentlemen of the Senate, to consider this entire matter without reference to the future political consequences of what we might do with respect to this matter. Children are not something to play politics with. It is not fair, we represent them and they are not in a position to speak up or to protest their own interest. You and I both know what an interruption in the orderly education of our children will mean. Not only from the educational, but the emotional standpoint as well.

**TOLL ON PARENTS**

"These effects will also take their toll on the parents of these children. There are many who cannot afford to take substitute interim measures. I venture to say that there are only 10 per cent of the parents in the Atlanta area who can afford adequate private school education for their children and certainly the percentage in other areas of our State will not exceed this figure.

"Gentlemen of Senate, this situation, which we are now in, was most aptly described by the political writer during the conflict between the States. Thomas Paine said at that time and I quote: "THESE ARE THE TIMES THAT TRY MEN'S SOULS." As one of your fellow Senators, it has been gratifying to learn since the convening of this General Assembly that the problem is not looked upon by this body as a rural vs. urban conflict, but has been given by each of you the attention and prayerful consideration that it deserves. Because the local Fulton and DeKalb Delegations are directly involved concerning this school plan which has been read to you, it may be that I will later on, in the session, seek your aid and assistance in attempting to be of help to the Atlanta School Board and the 115,000 children, whose education is their responsibility.

"What we do as and beg of you is to help us continue what we know must be done — by continuing public education. The plan just read to you has been studied by the Fulton and DeKalb delegation. We have met with the Board of Education of Atlanta and with their attorneys and are convinced that this plan is the best plan which would comply with the orders of the Court in the case presently pending in the United States District Court. The plan has just recently been finally approved by Judge Frank Hooper.

"It is my opinion and the opinion of many others that there is no need at the present time for Legislation which will implement the plan. It does not, in and of itself violate the Constitution or any laws of the State of Georgia. This will occur when and if the officials charged with the responsibility of placing children, decides that the plan requires a child to be placed in a school in violation of the laws of the State of Georgia. I do not know whether this result can be prevented in view of the Court's decision. This could be soon or it could be many years in the future. When and if this time comes, I, for one, do not want the public schools closed. This plan does not come to us as a result of voluntary action on anybody's part, but as a result of prolonged and hard-fought litigation. Yet, it does not, in my opinion, warrant the abandonment of our great system of public education in Georgia.

# C of C Considers Taking A Stand To Save Schools

The Atlanta Constitution
Atlanta, Ga.
Dec. 1-22-60
P. 1.

Atlanta's business community, which has remained conspiciously silent on the school-closing question, is moving rapidly to a decision.

Both the Atlanta Chamber of Commerce and the Atlanta Jaycees will vote on some stand within the next couple of weeks—at least on whether they should take a stand at all.

The Vandiver administration clearly would prefer that business groups keep silent on the issue, at least for the time being. In fact, there are reliable reports that the governor or his aides have asked the Atlanta Chamber not to endorse a pro-court open-school resolution.

By BRUCE GALPHIN

Edgar Forio, Chamber president, was out of the city Thursday and not available for comment.

The Chamber's executive committee had been expected to discuss a resolution at its meeting last Wednesday afternoon, but a spokesman said too many members would be out of town and it was postponed.

The Jaycees will have a general membership meeting on the issue soon—possibly as early as the end of next week.

The Jaycees reportedly are divided into two factions, both of them in favor of keeping public schools open but one believing the organization should not take a stand.

Atlanta businessmen, like Gov. Vandiver, are under great pressure from opposing sides.

And like the governor, they are much concerned with the question of timing.

Vandiver obviously believes that an anti-closing statement from so substantial a quarter as the business community would only hasten the coming of the crisis.

And he probably believes that when the state's present school laws are struck down and a new course must be sought, the support of business groups then will be far more useful to him if they don't go on record now.

There have been repeated but completely unsubstantiated rumors that the governor even has promised some key businessmen that the schools will not close.

So far, organized business, either at Vandiver's request or by its own decision, has gone along with the governor's wishes.

But pressures are mounting from the other direction. Almost every day lately some substantial figure in state politics or business has been taking a stand in favor of local control.

Opinion has been snowballing for open schools.

There are many who argue that closing schools for even a short time will have disastrous effects on the state's economy—to say nothing of its educational system.

Reports persist that one of the biggest manufacturing concerns in the state plans to fold its Georgia operation should the schools close.

All these considerations are bound to sway businessmen away from Vandiver's go-slow requests.

# Presbyterians, Fulton Jury Appeal for Open Schools

The Atlanta Constitution

Atlanta, Ga.

The school segregation furor prompted the Fulton County Grand Jury Tuesday to issue a special appeal to Gov. Vandiver, the General Assembly to take appropriate action now to keep the schools to remain open.

1-27-60

The January - February term jury thus becomes the second Fulton Grand Jury in succession to publicly implore state officials and lawmakers to take steps during the current session of the Legislature that would keep open Georgia's integration - threatened schools.

Meanwhile, the Presbytery of Atlanta Tuesday adopted a reso-

By MARION GAINES

lution at its winter meeting calling upon the General Assembly to do everything within its power to keep the state's schools open.

The Presbytery, which represents 96 Presbyterian churches, U.S.A., and 37,000 members in the Atlanta area, adopted the resolution by a unanimous vote, Dr. Paul Leslie Garber, a member of the group and Bible teacher at Agnes Scott College, said.

In a special presentment addressed to Presiding Superior Court Judge Jeptha C. Tanksley, the grand juries said Tuesday they have "devoted careful and prayerful thought to the present school problem."

"We regret the decision of the United States Supreme Court, but are faced with its impact," the grand jury said.

The grand jury pointedly threw its weight behind the open-schools campaign being waged in the Legislature by declaring:

"We endorse the objectives of those Georgians who are working to retain our public school system."

The jurors said they had studied carefully "the effect that the closing of our public schools may have upon our children, upon the community in which we live and upon the state. . . ."

They declared they also "have seen the public appeals being made in growing number by many Georgians to keep our schools open."

Those public appeals, the jury said, have come from "mothers, church groups, legislators, teachers, a state official, businessmen, bankers, students and citizens from Athens, Griffin, Chamblee and Macon."

Although the jury didn't say so, "a state official" presumably referred to James S. Peters of Manchester, chairman of the State Board of Education, who predicted in a now-famous letter to arch-segregationist Roy Harris that "some form of integration is inevitable."

"We have also seen the action of the Atlanta PTA Council urging that legislation be enacted now to keep our schools open," the jurors said, and "in addition, we have noted the recent action of the Atlanta Board of Aldermen and the current DeKalb County Grand Jury" in appealing for open schools.

The November-December jury issued its appeal to the governor and General Assembly in term-end presentments; the current jury, therefore, is the first Fulton body to issue a special presentment on the explosive question.

The special appeal by the jury, which only last week had spent an hour talking with A. C. (Pete) Latimer, Atlanta school board president, particularly urged the Legislature to act now "so that the education of our children may not be interrupted."

Included in the two-page special presentment was a recommendation that the Fulton legislative delegation support a proposal empowering the Atlanta Board of Education to employ "its own attorney."

# Integration Compromise Is Urged

Atl. Journal 1-16-60

ATLANTA (AP) — A Georgia Baptist Convention magazine says loss of the public school system is inevitable without compromise in the integration crisis and terms school closing second only to closing the churches.

The Christian Index said Friday that an emergency is at hand but little is being done. There has been enough talk with too little planning, the Baptist publication declared. "The extremists have had the platform for these half dozen years," it said.

The magazine said that extremists' words have thrilled their followers in one state after another. "Defiance is their right, within the law, but it is our right to plead for sanity," the publication added.

Closing the public schools would be the state's greatest disaster since Sherman's armies burned their way to the coast, the magazine continued.

It said men of good will can find a solution to the integration problem, and called on churches to point the way with calls for prayer and special services.

Representatives of almost every major woman's church group in the state urged that Georgia laws be changed to allow public schools to stay open even if desegregated.

The churchwomen of all faiths sent the plea to Gov. Ernest Vandiver. Copies will be distributed to legislators. The women signed the telegram as individuals, however, not as organization representatives.

# Methodists Back Open Schools

The Atlanta Constitution

Representatives of 27,000 young Methodists said here Wednesday, "The public school system of our state must remain open and be maintained regardless of the racial issue."

Atlanta 1-28-60

The resolution was adopted by 35 members of the Methodist Young Fellowship Council of the North Georgia Conference.

"In so doing (we are thinking not only of ourselves but of the future of our state and country," the resolution said.

The delegates said they believed "that only through the resources of mature, educated leadership can the government continue to serve mankind and maintain our democratic freedom."

14d(1) 1960

GEORGIA

EDITORIALS

# Race Dilemma In Atlanta

HILLS B. LANE, widely known southern banker of Atlanta, predicts that Georgia will find a solution of the public school dilemma without having to close any of the schools. He says in an interview in the Atlanta Constitution that he is just as much in disagreement with the Supreme Court decision as anyone because it is an invasion of states rights, but school closing would be such an impractical way of dealing with the subject that he expects the state legislature to find a way to prevent it.

Georgia these days is a victim of all sorts of rumors as the integrationists inside and outside the state bear down on the state. One rumor had it that the great Lockheed aircraft plant would announce its removal from the state the day the schools closed. General Manager W. A. (Dick) Pulver branded this rumor as nonsense. He is concerned about the situation, he declared in a newspaper interview, as is every good citizen. Like Mr. Lane, Mr. Pulver thinks there are enough intelligent people running the state to find a satisfactory solution.

Meanwhile Editor Ralph McGill of the Atlanta Constitution has gone all out for integration. He asserts that there is no such thing as states rights which the Supreme Court cannot overturn, that integration of the schools is inevitable because the federal government is bigger than the states, and in addition he asserts that all this is righting and proper.

Georgia therefore has some powerful borers-from-within as well as the more secretive agencies like the NAAPC at work seeking to tear down the good race relations that have been built up through the years in the State as well as in the South.

Prominent citizens of Atlanta like Mr. Lane and Mr. Pulver will have to learn the hard way that they are dealing with desperate men who have hired agitators and who have swarmed into Georgia from every section bent upon causing trouble.

Georgia remembers with a shudder the terrible race riots which Atlanta once experienced and wants to avoid another such outbreak at whatever cost. With a gang of vocal firebrands at work in the city the average man doesn't know what to expect next.

# Future of Schools Remains in Doubt

The Atlanta School Board has asked the U.S. District Court for dismissal of its appeal from the original order of desegregation. Approval will be routine as it is in all such cases.

The action serves to keep the problem within the local court. This was a good move.

Meanwhile, the clamor of the small group of fanatics who somehow insist that schools under court order can be kept segregated continues to deceive a people already distressed and seeking the facts. Nothing is more distressing than that good, honest people should be deceived by ranting, distorting extremists who care nothing about public education but who want merely to have their own way even though they know this will mean an end to public schools.

Pupil placement plans, which the federal courts have upheld, prevent any swamping of schools. It gives school districts more control than they have ever had in placement of pupils. The extremists in their determination to rule and ruin ignore the inescapable truth about this plan—that it does control. It is doing so in Virginia, North Carolina, Tennessee, Oklahoma, Texas, West Virginia and Arkansas. On Monday another Virginia district used it to comply with a court order—without incident.

HOPE, Inc., and those who support them are not integrationists. They are parents who want public schools and if a placement law will save them they will accept it.

Gov. Vandiver is quite right to say he is bound by state laws. But these are the same sort of laws ruled unconstitutional in other states. This is their certain fate in Georgia. This newspaper knows, as do the people, that Georgia cannot go forward without public education. A generation of children will be condemned to losing a year or part of it. Teachers will leave the state. The damage will be great even though the schools close but a year. The economic loss which follows on the heels of such disaster has already been demonstrated in Little Rock and Virginia. But greater even than that is almost a million children deprived of opportunity, college accreditation and chances at employment.

The extremists are willing for this to happen to the children of Georgia. We have no connection, direct or indirect, with HOPE, Inc. But we agree that a placement law is better than loss of all public education.

This thing, we know, must run its course. But there is no need for it to be run in folly. There is less reason for the extremists who would close the schools to find the ear of any Georgian who truly loves his state.

## Church Resolution On Schools Criticized

Atlanta — I firmly believe the Church and State to be two separate and distinct bodies and that one should never interfere with the governing or rules of the other. For this reason I disagree with a recent resolution by J. Clye Calloway that appeared in The Atlanta Constitution under the heading, "Methodists Ask Saving of the Schools."

The resolution sent to the governor and the General Assembly read: "We implore you to provide legislation that will keep the schools open and preserve for our children their God-given rights of an uninterrupted public education."

It seems to me that "God-given rights of an uninterrupted public education" is a misstatement. Instead it should read: "state-given rights to a public education."

I do not believe that there is a single person who would like to see the schools close. But a vast majority will endeavor, with unselfish motives, to keep the schools open on a segregated basis. For the two races to continue to have peace with each other they must not become too closely associated.

JOHN W. LEE.

## 'Courts Won't Accept Token Integration'

Rome—Gov. Faubus, Roy Harris and thousands of other Southerners are entirely correct when they say that there is no such thing as "token" or "some" integration. And for anyone to argue that the NAACP and the Supreme Court will accept "some" integration is ridiculous! Therefore, the over-all, all-important question that the white people are asking, or should be asking, themselves is this: What will happen to the schools when the NAACP, acting through the federal courts, begins mass integrating the schools?

The question is simply "close or mass", nothing more and nothing less.

JAMES DAVIDSON.

• • •

## 'Closing of Schools Is Chilling Thought'

Rome—I have read Eugene Patterson's article of Jan. 17 and I agree with him in part. I say the people of Georgia have kept too silent on this issue. On the other hand, what choice have they had?

In the gubernatorial election, every candidate stood for closing the public schools. We only elected the most moderate one. I don't believe any mother in Georgia wants to see our public schools closed but what can we do? We are begging for an election of the people. Our PTA has been ignored. Our personal letters to our representatives have been ignored.

The thought of our schools closing chills my blood. I know what it was like in Virginia. My mother lives there. I know the feeling of telling a child he cannot go to school because some narrow-minded politician closed them.

Sure, everyone says he does not want integration but is it better to have integration or ignorance?

MRS. R. A. ROBERTSON.

14d(1) 1960

GEORGIA EDUCATION ASSOCIATION

# Cherry Urging GEA To Take School Stand

By PATRICK McCAFFREY

Terming the issue one of "open schools versus closed schools," Supt. of DeKalb County Schools Jim Cherry has called upon the Georgia Education Assn. to take a stand in the school segregation crisis.

Saying the GEA is preoccupied with teachers' salaries, the DeKalb school head said the group's leadership has ironically not expressed itself on the most crucial problem—that of uninterrupted education.

In an open letter to some 600 members of the GEA, Mr. Cherry said he would introduce a resolution at the association's convention in Atlanta March 17 for continued public education. He said this would give teachers of Georgia an opportunity to speak out on the question.

* * *

THE RESOLUTION, he said, would:

1. Ask maintenance of free public schools for all the children of all the people without discrimination.

2. Declare support of equal but separate schools on the basis of common consent, voluntary segregation, and pupil placement.

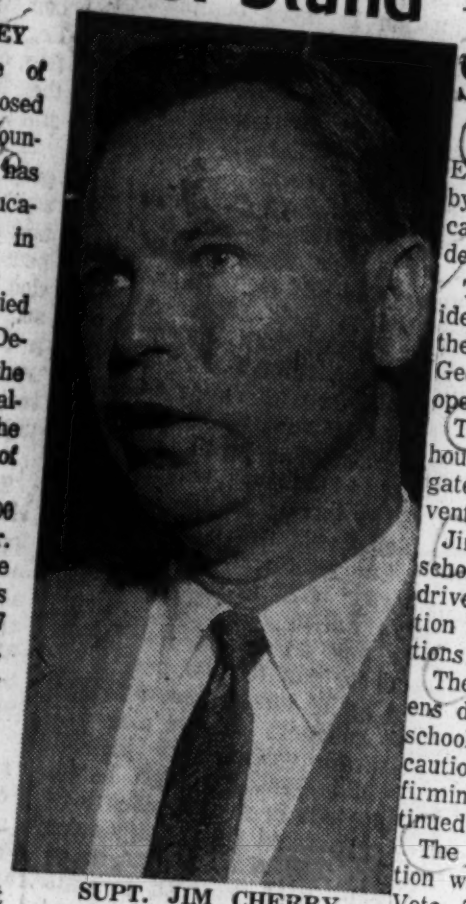
3. Support local option and parent choice where equal and separate school placement is rejected.

4. Call for united efforts for a fully adequate education program for each Georgia child, regardless of where he lives.

* * *

"TO CLOSE the schools would be a meaningless sacrifice," the letter read, "for segregation-integration is an issue only partially related to the public schools. If every classroom were locked, the integration problem would remain, for it exists in every area of the economic and political life of our state."

Saying many Georgia counties will have no integration problem, Mr. Cherry asked what is to be gained from destroying the school system over a limited number of schools.



SUPT. JIM CHERRY
Sees "Meaningless Sacrifice"

Mr. Cherry said that while he deplores the Supreme Court decision of 1954, it nevertheless is "a fact."

* * *

HE SAID ALSO that Federal Judge Frank Hooper had left the initiative to governmental representatives of Georgia. He declared, however, that unless they solve the problem, "they will be replaced at the ballot box by irate citizens seeking a leadership willing and able to find a way to operate public schools."

Private schools supported by the state are "impractical and contrary to existing fact," Mr Cherry asserted. He said the present budget for schools provides about $150 per school child while private school costs are $400 to $500.

# GEA Adopts Local Option School Plan

ATLANTA (AP) — The Georgia Education Assn. Friday approved by a narrow margin a resolution calling for local option in a school desegregation showdown.

The resolution expressed the idea that "it is the privilege and the responsibility of the citizens of Georgia to determine the plan of operation of the public schools."

The action was taken after an hour of heated debate by delegates attending the annual convention.

Jim Cherry, DeKalb County school superintendent, led the drive for the local option resolution after the convention's resolutions committee rejected it.

The measure to let local citizens decide the fate of the public schools was attached to a cautiously-worded resolution reaffirming the GEA's belief in continued public education.

The vote in favor of local option was 596 for and 510 against. Vote for an amendment adding the local option statement was even closer, 611 for and 578 against.

Main support for the local option resolution came from districts within the state's large cities—the fifth, seventh and ninth.

Vandiver was unable to address the delegates because of illness but his executive secretary, Peter Zack Geer, read the governor's speech.

In the prepared address the governor called for "voluntary segregation, with equal facilities and equal opportunity" as the way for the state to avoid the "undesirable prospect of a single school closing."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH REEL 179

# GEA Is Not Unaware Of Public School Crisis

The Atlanta Constitution

Mar 3-1-60

The embattled and powerful Georgia Education Assn. is showing an increasing awareness that some if not all public schools probably will be closed in the impending school crisis. In that event, the role the association plays very well may determine the future of public education itself.

Frank M. Hughes, executive secretary of the GEA, told a television audience on The Constitution's Press Gallery Sunday that when the closing crisis comes, the organization would move to support "free, public, tax-supported schools."

Many people will question this "wait-and-see" attitude as a negative approach which invites the anticipated result. On the other hand, there is the advice of those—notably from Little Rock—that only through closing the schools can the full consequences of total resistance be demonstrated.

At any rate, it is encouraging to have this reassurance that the GEA will be active on the side of preserving public education.

The extent of power of the schools, teachers and administrators can be gauged from the fact that almost a third of the total population directly is concerned with education. There are almost a million students, more than 40,000 teachers, 6,000 bus drivers and about 17,000 other school employes. They indeed could create the political revolution about which State Board of Education Chairman James S. Peters has warned and in which he now has been joined by Mr. Hughes.

The biggest business in Georgia will not close up shop permanently and those who think it can be done will find quite a surprise in store. That's the message Mr. Peters and Mr. Hughes are trying to get across. It is tragic that the crisis itself must be awaited to prove their point.

# Pro-segregationist admits jim-crow is a dead-end street

ATLANTA—"Some form of integration is inevitable."

This warning for Georgia's segregationists was voiced, last week, by no less than James S. Peters, top man in Georgia's state school system; himself a staunch segregationist and a key man in the Talmadge political dynasty.

Peters, chairman of the State Board of Education, voiced the warning in a letter to Roy Harris, president of the Georgia States Rights Council and one of the hard-core South's most bitter foes of desegregation.

Peters cautioned Harris that a "last resort" school shutdown might pave the way for former Governor Ellis Arnall to return to the governor's office and "put integrationists in control of (state) government for decades to come," he warned.

Public sentiment is changing on the issue of desegregation.

Sentiment will change much faster between now and September, 1962, unless Senator Herman Talmadge and his friends find a better answer to this problem than the closing down of the public school system.

His warning followed a newspaper editorial by Harris and speeches by two other segregationists, Rep. James C. Davis and Charles Bloch.

Both argued that no form of integration could be tolerated in Georgia.

* * *

**THE TEXT** of Mr. Harris' letter follows:

"I read the Courier, (an Augusta paper published by Harris), of the 28th with a great deal of interest and in my judgment, this issue is headed for the governor's race of 1962 and it will not be the question as to whether the people favor or oppose integration, but the question will be more direct — are you in favor of re-opening the schools with Ellis supporting a program to re-open the closed schools.

"The teachers are victims and can do very little to change events and the same, I am afraid, is true with the parents.

"There is no question in my mind but that Ellis and the proponents of integration are delaying their move to 1961 with the hope and prayer, Gov. Vandiver will close the schools once they are integrated by the federal courts.

"This would create the issue which they want and know can only be settled in a statewide governor's race.

* * *

"GIVEN 12 months with our schools closed to register 600,000 colored voters and to convince the mothers and fathers the only way to reopen is with him as governor, Ellis will be difficult indeed to defeat and Herman could very easily go down with him. integrationists in the control of the government and entrench Ellis Arnall and the

"Thus, we would lose control of the government for decades to come.

"Some form of integration is inevitable and the only question left unanswered today is whether this integration will be under the control of the friends of segregation or the proponents of integration.

"I do not agree with you as to the public sentiments. In fact, it is changing and will change much faster between now and September 1962 unless Herman Talmadge and his friends find a better answer to this problem than the closing down of the public school system, leaving 75,000 teachers and other employees idle, more than ½ of a million children who will not be able to get into any kind of school playing on the streets and growing up in ignorance.

* * *

"ROY, I agree with everything that Charlie and Jim said, but I do no propose to butt my brains out against a stone wall and that is just exactly what we are doing if we maintain the adamant position we now occupy.

"If the leaders in our camp would get together and talk this problem over, maybe we could arrive at some kind of a solution. Otherwise, we are headed towards defeat and the loss of our power and influence in the government of this state.

"I hope you will think it over and write me what you think about it."

# City Wants Case Kept By Hooper

Attorneys for the Atlanta Board of Education have asked that the U.S. Fifth Circuit Court of Appeals in New Orleans dismiss the board's appeal of Federal Judge Frank A. Hooper's July desegregation ruling.

The move apparently was an effort to keep the case in Judge Hooper's hands. Attorneys are unsure of how the appellate court would react to Judge Hooper's idea of submitting the plan for approval by the Legislature.

Latimer said, "The board believes that the General Assembly should have the opportunity to comply with Judge Hooper's order and consider the matter of allowing Atlanta to continue the uninterrupted operation of its schools."

In August, the board filed notice of appeal of Judge Hooper's injunction against racially segregated schools. Judge Hooper did not approve a stay in the suit in November because he wanted the plan to go before the Legislature.

BOMBING
ENGLISH AVENUE ELEMENTARY SCHOOL

# Negro School Blast Opens 3-Way Probe, Shocks Officials Here

The Atlanta Constitution p. 1
Times - 12-13-60 Atlanta, Ga.

## City, State Authorities Outraged

Official reaction to Monday's ... bombing almost unanimously expressed shock at the ...lessness" of the deed.

Lt. Gov. Garland Byrd said the ... seriously impaired the fight of those seeking to preserve segregation.

Atlanta School Supt. Dr. John Letson said he could think of ...thing about the English Avenue ...mentary School which would ... "provocation."

**MAYOR BLAMES RABBLE**

Mayor Hartsfield laid the blame ... "ignorant rabble, inflamed by ...itical demagogues and encouraged by the silence of most of ... substantial civic leaders."

...C. (Pete) Latimer, president ... Atlanta Board of Education ... Monday night branded the ... as the act of a "diseased ...

...king at a board session, ... said:

"...e lack of a long discussion ... the unfortunate bombing is ... to be taken as lack of interest ... the part of this board.

Staff Photo—Bob Dendy

FORCE OF BLAST TWISTED METAL BLINDS

*Doors and Walls at English Avenue Also Damaged*

**ATLANTA SUFFERS BLOT**

"We are aware that only a person with a diseased mind could commit such an atrocious act. We want the community and all thinking people to know there is nothing as pathetically defenseless as a school and that the bombing was a blot on Atlanta's fine reputation."

Dr Rufus Clement, president of Atlanta University and the only Negro member of the Atlanta Board of Education, said, "I'm certain that all law-abiding citizens abhor this kind of conduct on the part of any citizen."

Reactions of shock and outrage also came from numerous legislators meeting in Athens.

Sen. Carl Sanders of Augusta, president pro tem of the State Senate, said bombings and other acts of violence will not solve the problems facing Georgia schools or "preserve the Southern way of life."

Sanders said he personally deplored any action that resulted in the destruction of any institution of learning, "particularly by individuals who apparently are unwilling to fight for what they believed in by lawful means . . ."

Fulton Rep. M. M. (Muggsy) Smith said:

"I deplore the bombing, which will again give us a black eye throughout the world and give aid to our enemies," he commented.

"I hope the perpetrators will be brought to a speedy justice," he said.

P. 14

**OUTRAGES HURT CAUSE**

Rep. Charlie Pannell of Murray County said "any intelligent person is certainly against such outrages. They're hurting the cause they're fighting for more than anything else they can possibly do."

Atlanta Ga.

The Rev. William Holmes Borders, Negro leader supporting student sit-in demonstrations, expressed sorrow over the blast but said he did not think it was connected with Negro efforts to desegregate downtown lunch counters.

**DEMAGOGUES ATTACKED**

Hartsfield issued a statement declaring:

"Most of these racial demonstrators come from outside our city limits. They are what we call the 'outhouse crowd.' Such senseless destruction of property is the work of the lowest element, an ignorant rabble, inflamed by political demagogues and encouraged by the silence of most of our substantial civic leaders.

". . . Practically all of the rabble-rousing, cross-burning, sheet-flapping and dynamiting is done by people who do not live inside the limits of Atlanta . . .

"Atlanta has a good reputation for race relations, and they desire to destroy it. We have been told that in the near future there will be efforts to bring into Atlanta the professional rabble-rousers and the lowest element to make trouble and try to embarrass our city . . .

"They are going to intimidate neither the government of Atlanta nor its good citizenship.

". . . It is time for the substantial citizens of Atlanta—the people who own its great stores, office buildings, plants and factories—to assert themselves. Otherwise a few little loud-mouthed racial demagogues will be mistaken for the voice of Atlanta."

# Detectives, FBI, Army Hunt Clues

By KEELER McCARTNEY

A shattering explosion Monday damaged a Negro school and a dozen homes along Pelham Street, NW, and started an intensive, three-way investigation.

The Federal Bureau of Investigation entered the case on a cooperative basis along with a demo-

The Atlanta Constitution

*Dynamite sales more restricted nowadays. Story on Page 11.*

lition team from the Third Army. Most of the Atlanta police detective force also was thrown into the investigation.

Atlanta Ga.

Detectives were canvassing the neighborhood in the hope of picking up a clue and they were checking on the whereabouts of persons who have been under police surveillance in racial disputes.

The absence of a clear-cut motive hampered the police investigation. The English Avenue School at 627 English Ave., NW, was changed to an all-Negro elementary school in 1951 after the section had gradually changed from white to Negro.

Times - 12-13-60

"It was the work of a fanatic," declared Detective Capt. R. E. Little, head of a special subversive section in the Detective Bureau. "Of that we are sure."

P. 1

Dr. John Letson, city school superintendent, estimated the repair bill for the damage would run between $1,000 and $1,500. He said the work should be completed in a few days.

The blast at 2:40 a.m. on a cold, windy morning heavily damaged the south side of the two-story brick building, shattering windows. It also damaged doors and walls inside the building.

P. 14

Capt. Richard M. Barb, of the 547th Ordnance Detachment of Ft. McPherson, headed a demolition team that picked up items at the

scene which are to be tested at the Third Army and FBI laboratories in an effort to identify the type of explosive used.

Police would not comment on the explosive used, but a general feeling persisted that it was a liquid-type, such as nitro-glycerine, instead of dynamite. One officer said nothing was found in the foot-deep crater, three feet in diameter, dug in the street beside the curbing.

**CHARGE FALLS SHORT**

Evidently the explosive was hurled at an entrance of the school on the Peyton Street side, Little said. Police were inclined to believe the charge fell short of the entrance instead of striking the door facing and bouncing back into the street.

Investigators also were working on the theory that the explosive was hurled by a person standing on the ground instead of someone passing in a car.

Little said the investigation was not confined strictly to Atlanta. He intimated that the person or persons involved could have come from elsewhere in the state or a neighboring state.

**POLICE MOVING WARILY**

Police were moving warily in the case, which in some respects was reminiscent of the Temple bombing of two years ago.

Chief Herbert Jenkins said very little was found at the scene which might contribute to a solution. However, he said it was very likely that a solution would come from other sources.

The school itself was not an issue, police pointed out. An elderly, retired man and his wife —who reside a block from the school and who are the only white persons in the area—summed it up:

"It just doesn't make sense. There's been no trouble here."

Investigators noted mounting tension here in recent weeks. A prayer service was held Sunday morning at Herndon Stadium in sympathy with sit-in demonstrations by Negro college students.

Negro pickets have marched in front of several downtown stores and on two occasions robed Ku Klux Klansmen have paraded in downtown sections.

Police said damage would have been much greater had the charge gone through the doorway or exploded at the doorway.

**RESIDENTS AWAKENED**

Little said some residents of the area were awakened by the blast, but dismissed it as a sonic boom from a jet airplane breaking the sound barrier, and went back to sleep. Others ran outside in night clothes to investigate.

The force of the blast stripped foliage from an evergreen tree at the entrance. Slivers of glass from broken windows were driven into walls like arrows. Window shades were shredded. Venetian blinds were ripped apart. Window latches were ripped away.

In homes nearby, windows were broken and pictures jarred from the walls. In some instances walls were cracked.

The blast ripped a strip of chrome from the fender of an auto parked 45 feet away.

14d(1) 1960

GEORGIA

HOPE, INC.
MRS. THOMAS BRREDEN, CHAIRMAN

# Senate Body Votes Segregation Study

The Atlanta Constitution
Wed. 2-3-60 P. 10
Atlanta, Ga.

## HOPE Delegation Waits, Fails to Win Public Hearing

By GENE BRITTON

A Senate committee Tuesday cleared for passage a House resolution to create a special commission to study possible ways out of the state's school segregation crisis and to file recommendations with the 1961 General Assembly.

Representatives of HOPE Inc. appeared before the Senate Education Committee seeking a public hearing on the measure. They didn't get it.

Before recommending Senate approval of the resolution, authored by Rep. George Busbee of Dougherty County, the committee added an amendment which would increase the proposed membership of the study group. The amendment would add two senators and four representatives, to be named by the presiding officers of the two houses.

**A FEW FEET AWAY**

Sen. Wallace Jernigan of Homerville, committee chairman, called the meeting to consider the measure immediately after Senate adjournment Tuesday. The committee met in one corner of the Senate chamber while several women from Hope Inc. waited on the Senate floor a few feet away to be heard.

After the committee concluded its action on the resolution, Sen. Jernigan asked the women if they wanted to address the committee.

Mrs. Thomas Breeden, chairman of HOPE, said they did. They had wanted to ask that a public hearing be called before any committee action was taken, she said.

**NO REQUESTS**

Jernigan explained he had called the meeting before he had received any requests for a public hearing. He said he had informed HOPE representatives of the committee meeting and informed them they would be welcome to attend. Since he had not been informed of their desire for a public hearing before he had called the meeting and since the committee had already acted, it was too late for a hearing now, he added.

But he pointed out that the Busbee resolution calls for public hearings in each of the state's 10 congressional districts to determine public sentiment on the question of closed schools or schools with some integration. The resolution provides that the study commission will hold the hearings and report findings by May 1 to the president of the Senate (Lt. Gov. Garland Byrd) and the speaker of the House (Rep. George Smith of Emanuel County).

Mrs. Breeden said, "A lot of us agree that the study commission is a good idea, but we still have some reservations."

**QUESTIONS TIMING**

For one thing, she said, the group questions the "timing" of the resolution.

Later, she and Mrs. William C. Pauling, another member of the group, said they feel some positive action to keep the schools from closing should be taken in the 1960 session of the General Assembly, rather than in the 1961 session.

The committee amendment adopted Tuesday would strengthen legislative representation on the commission. Only two members of the Legislature—chairmen of the House and Senate education committees—would be on the commission under the original resolution.

Meanwhile Tuesday, HOPE Inc. issued a statement favoring a statewide local option plan similar to Virginia's as a "wise" solution to the school problem.

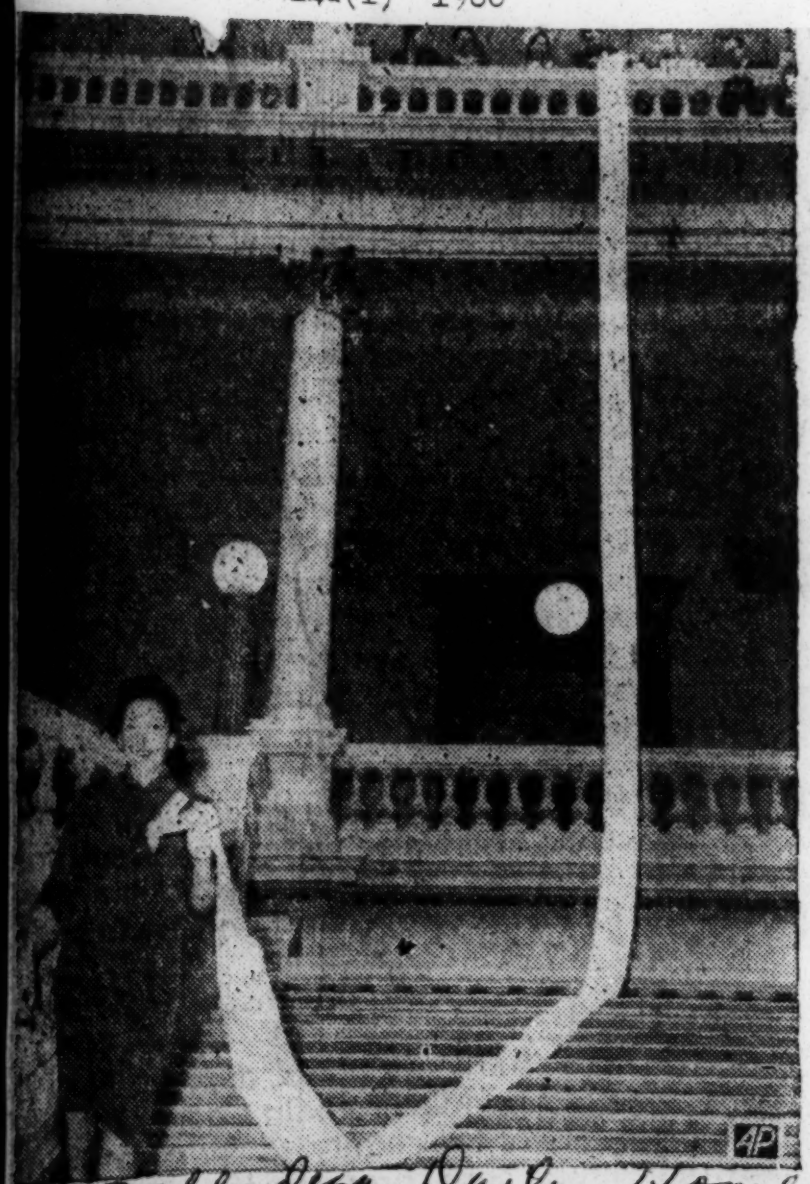
**OKAY AIR LEASE**

In other actions Tuesday the Senate:

Ratified a lease of airrights over state-owned Western & Atlantic Railroad property near the Spring Street viaduct for the development of a multimillion-dollar commercial center.

Approved a House bill to increase assessments against public utilities for support of the Public Service Commission from approximately $70,000 a year to a new total of some $280,000 a year.

Heard read for the first time a bill authorizing the limited use of unmarked State Patrol cars on Georgia highways and a constitutional amendment to allow the state to underwrite authority financing.



PETITION TO KEEP SCHOOLS OPEN — Mrs. Beverly Downing of Athens walks down steps in Georgia capitol at Atlanta trailing a lengthy petition bearing more than 10,000 signatures asking the legislature to keep public schools open regardless of the integration issue. The petition was delivered to House Speaker George Smith by a delegation from HOPE Inc., an organization working against threatened closing of schools to prevent integration. (AP Wirephoto).

The Dallas Daily News
Thursday Feb 4 1960

Macon Telegraph

# State HOPE Petitioners Deserve Highest Praise

Much-deserved praise and some unjustified criticism have been heaped on HOPE, Inc., the organization circulating petitions in Macon and elsewhere in Georgia to urge the continued operation of the public schools. Most of the criticism has come either from people who did not know what HOPE is or from people who knew but purposely wanted to distort its purposes.

"HOPE stands for Help Our Public Education. It is a nonprofit organization whose aims are to give directions, guidance, information and program to all citizens of Georgia who desire to continue the operation of the public schools of this state."

"HOPE does not argue the relative merits of segregation or desegration. It does not discuss whether the 1954 Supreme Court decision was right or wrong. It does not debate states rights versus federal rights."

In the words of Atty. James Barrow of Athens: "HOPE asserts that public education is indispensably necessary if popular government is to function effectively; if the children of those who are not wealthy are to have a decent opportunity in life; and if our society is to continue to achieve economic progress. For these reasons, HOPE opposes the closing of the public schools of Georgia and calls on all Georgians to unite in opposition to the closing of the schools."

The closing of Georgia's schools would be catastrophic. A fine educational system, painfully built up over many years and at great expense, would crumble overnight. Georgia's economic progress would be stymied. If the schools were closed for any considerable period, thousands of school teachers would be forced to seek work elsewhere. Students would migrate to other sections. Juvenile delinquency would increase at an unthinkable rate. Industry would be lost and along with it jobs and payrolls.

Parents circulating petitions seeking to keep our public schools open deserve the highest praise. Theirs is not an easy task. They are occasionally rebuffed. But they are the type people who could never forgive themselves if the schools are eventually closed and they have not done all within their power to head off the disaster. More power to them.

# HOPE Has Altered Attitudes On Schools, Frontiers Told

The legal representative of Help Our Public Education (HOPE) told members of Frontiers of America that HOPE has been able to alter the attitude of the general public and some members of the General Assembly in the school closing situation.

James W. Dorsey, former U. S. district attorney and son of ex-Gov. Hugh Dorsey, spoke at the weekly meeting of Frontiers on HOPE as an educational media.

He said that HOPE has carried on a campaign all over the state in an attempt "to bring facts to an uninformed public as to the dire consequences to permitting its schools to be closed to satisfy the political ambitions of misguided politicians."

It is the hope of HOPE, he said, that sufficient public opinion can be crystallized as to convince the commission appointed to evaluate opinion throughout the state that a majority of the people in Georgia want the schools to remain open. He said it would be an educational tragedy for schools to be closedfor one day, to say nothing for an indefinite period.

HOPE was greatly encouraged, Dorsey stated, by the recent statements of the head of the study commission, Sibley, saying the choice for Georgia is to obey the Supreme Court or get rid of public education.

The attorney said that HOPE chapters have been established all over the state, under the leadership of the Atlanta chapter. The cities ofRome, Albany, Marietta, Macon, Athens, Savannah and many other smaller communities have chapters.

J. O. Thomas, president of Frontiers, said that when he came to Atlanta from New York 40 years ago, there were only two men on the state level who reflected a sensitivity of better relations between the races: Govs. Pickett of North Carolina and Dorsey. He said Dorsey's son is following in the footsteps of his illustrious father. Dorsey was introduced by Rev. Phenzee Ransom, chairman of the program community.

# Ku Klux Klan Plans School In Atlanta

Alabama Journal Montgomery 1-8-60, P. 2-A.

MACON, Ga. (AP)—A Ku Klux Klan-sponsored private school will be built in Atlanta, Lee Davidson, grand dragon of the Georgia Klan, says.

The Klan leader said other private schools, sponsored by the Klan, are being considered for Macon, Savannah, Columbus and Moultrie, Ga.

Davidson said the Atlanta school would be open to any white child whose parents are in favor of segregation, and not just children of Klan members.

He said the Klan already has some funds and is "hoping to get some state support." He added that plans for the Atlanta school have been drawn up but that the school has not yet been chartered as a non-profit organization.

Davidson said the Klan has "enough qualified teachers to volunteer their services free of charge."

# Klan Sponsoring Private School

Montgomery Advertiser 1-9-60 B-5-B

MACON, Ga. (AP)—A Ku Klux Klan-sponsored private school will be built in Atlanta, Lee Davidson, grand dragon of the Georgia Klan said Thursday.

Davidson said the school will be built on property which was turned down last year as a site for national headquarters of the Klan.

The Klan leader said other private schools, sponsored by the Klan, are being considered for Macon, Savannah, Columbus and Moultrie Ga.

Davidson said the Atlanta school would be open to any white child whose parents are in favor of segregation and not just children of Klan members.

He said the Klan already has some funds and is "hoping to get some state support." He added that plans for the Atlanta school have been drawn up but that the school has not yet been chartered as a non-profit organization.

14d(1) 1960

GEORGIA

# Vandiver Says He Would Veto Any Desegregation Bills That Are Passed

## Atlanta School Board Withdraws Decision Appeal

By AL KUETTNER
United Press International

Proponents of legislation that would curb Georgia's tough opposition to public school integration fought an uphill battle in the Legislature Tuesday.

Even as preserve our schools measures began the tedious journey through an army of legislative opposition, administration leaders introduced a brand new segregation bill. It would permit the outright sale of property padlocked by state laws closing integrated schools.

The school issue was injected in the Legislature by the decision of the Atlanta School Board to withdraw its appeal of a federal court order desegregating the city's public schools.

An increasing number of legislators fell in with plans to either change or get around Georgia laws which now forbid any kind of school integration. The measures could ensure future, however, unwavering opposition from the forces that run the Legislature.

GOVERNOR WOULD VETO

Gov. Ernest Vandiver said he would veto any integration measure passed by the Legislature because such action would "be unconstitutional."

The current situation: Members of the state of the Republic committee which had under consideration a proposal to remove a ban against integration expressed general opposition to the idea.

Supporters of a parents' choice amendment that would require a school district vote before a school could be closed under state laws held a closed meeting to map strategy. The group, headed by Rep. James A. Mackay, DeKalb, planned to offer legislation Friday.

Rep. M. M. Smith, Fulton, said the Atlanta School Board's withdrawal of its appeal "throws full responsibility on the Legislature and we can no longer depend upon delaying tactics." Smith has five measures repealing state segregation laws and a sixth writing the placement act into state law before the State of the Republican Committee.

NEEDS SHOW OF FAITH

Smith argued that the placement plan, although approved by the federal court, must be written into law as a show of good faith by the Legislature. He said it also would apply to any other communities that are hit with integration pressure. Two cities, Marietta and Savannah, now have suits pending.

It was learned, however, that regardless of legislative action on the school plan, the city school board here plans to put it into effect immediately.

Should a Negro child apply for admission to a white school next September, the applicant will be judged according to the court-approved formula. It sets up 17 qualifications, including psychological factors, for admission or transfer of pupils.

Rep. Howell Hollis, an influential member of the committee studying Smith's measure, said Atlanta could go ahead with its plan without violating any state law. Where it would apply, he said, would be at the instant a Negro child was assigned to a white school. That could be years away.

Mackay said Tuesday's caucus "simply explored" support that the parents' choice idea now has. He said it is gaining strength daily. The plan picked up an influential cohort Tuesday in Rep. Marvin Moate, former Gov. Marvin Griffin's House speaker.

DECRIES ATTITUDE

The DeKalb legislator decried the "do nothing" attitude of the Legislature on the school issue.

"The prevalent political view seems to be that it is good politics to shut the schools down, then reopen them," he said. "The truth is that good politics dictates that we avoid any interruption in education through the intelligent application of local control.

"By ignoring the sympathetic and conservative approach of Judge Frank Hooper, we are inviting the higher federal courts to take over the direction of our schools which is exactly the opposite of what the people want."

Administration Floor Leader Frank Twitty, a co-signer of the school sale legislation introduced Tuesday acknowledged that it would "clear the way to sell the schools to agencies operating under the private school plan."

Under the law authorizing the closing of schools that are integrated, the property can be sold only if it is declared surplus.

LEGISLATURE

## Legislative Digest

The Atlanta Constitution

Commission to study state's school segregation laws endorsed by House 167-2. House also approves plan for four-year terms in General Assembly. (Page 1.)

Atlanta, Ga.

Ban on cameras and tape recorders in courtrooms fails in House. (Page 1.)

Administration bill to transfer Alcoholism Commission to Health department killed by House. (Page 1.)

Senate votes unanimously to give Putnam land owned by Regents to Board of Corrections for new prison; bill financing new coliseum at university approved. (Page 8.)

Public Service commissioners, superintendent of education and commissioner of agriculture voted raises by House. (Page 8.)

Bill to help Atlanta borrow money for schools during integration crisis heads to House floor. (Page 1.)

Bill to give Gwinnett County a separate judicial circuit wins round. (Page 8.)

# Georgia Legislature Battles To Maintain Its Segregation

The Gallatin Daily Examiner

Gallatin, Tenn.

ATLANTA (AP) — A bill designed to strengthen laws against stirring up law suits is expected to be introduced in the Georgia House today as a segregation measure.

The proposal would make barratry, or the promotion of litigation, a felony rather than a misdemeanor as under present statutes.

Gov. Ernest Vandiver has said the barratry proposal is the only segregation measure the administration plans to sponsor at the current session.

The bill does not refer to specific types of cases but is believed to be aimed at reducing integration suits.

It will be introduced by Rep. Harold Murphy of Haralson County, chairman of a legislative study committee.

Sen. Eulond Clary of Thomson says he may offer in a day or two an amendment to increase the number of legislators on a commission to study the school situation in Georgia.

The commission would tour the state to determine opinion on closing schools to avoid integration and make a report by May 1. The House has passed a bill calling for creation of the commission.

In another development, the head of a private segregated school system in Virginia told a meeting Monday night the plan is working out satisfactorily.

Roy R. Pearson, administrator of the Prince Edward County School Foundation, said "The citizens of our county are well satisfied with the type of education their children are receiving. The children are happy and the teachers are also happy."

"We have had three-fold results," he continued. "We have placed emphasis on fundamentals . . . the community has a much greater interest in its schools . . . and the youngsters are getting more practical knowledge."

Pearson said establishing segregated private schools was his county's only answer after the U. S. Supreme Court ordered integration.

He was applauded and cheered when he said "In no case would you want your city of Atlanta to degenerate to what Washington, D. C., is today."

Pearson spoke to more than 1,500 persons attending a meeting sponsored by the Metropolitan Assn. for Segregated Education. Atlanta Gov. Garland Byrd when came to

and Roy Harris of Augusta also town."
dressed the gathering
Harris criticized Atlanta Constitution Editor Ralph McGill, NAACP, and HOPE Help Public Education, and declared: "If we lose this battle, Atlanta will be worse off than stitution.

# Bill Implementing School Plan Set For Legislature

Atlanta Daily World Sat 1-23-60.

Atlanta, Ga. P. 1.

(By United Press International)

Proposals to allow Atlanta schools to integrate, to trim down Gov. Ernest Vandiver's spending power and to boost Agriculture Commissioner Phil Campbell onto the Board of Regents will go before the legislature Monday, according to plans underway Friday.

Rep. M. M. Muggsy Smith of Fulton County was scheduled to lay his bill implementing the court -ordered "Atlanta school plan" before the House State of the Republic Committee headed by veteran administration lawmaker Roy McCracken of Jefferson City.

McCracken and Rep. Jack Ray of Warren County, meantime, planned to drop in the House hopper a constitutional resolution that, if passed and ratified by referendum, would take away Gov. Ernest Vandiver's authority to spend surplus funds.

**FIRST READING SET**

A resolution drafted by Rep. David L. Newton of Colquitt County to make the agriculture commission a 16th member of the Board of Regents was put in the hopper Friday and will come up for first reading in the House Monday.

Smith's bill would write into Georgia law a plan of integrating Atlanta schools from the top grade downward, one grade a year, as proposed by the Atlanta School Board and accepted by Federal Judge Frank Hooper as a means of complying with his integration decree.

Smith planned to introduce it in committee as a substitute for the Alabama - type Pupil Placement Plan he introduced last year. That bill was being held in the same committee. Smith first introduced a series of constitutional proposals to wipe off conflicting measures that outlaw any form of school integration.

**GEAR FOR BIG LOAD**

The General Assembly geared for a big load of legislation next week, including Senate action on the House -passed withholding tax law and House action on a substitute REA bill. The Senate Monday was expected to debate the House-pass- insurance code revision which was read in the Senate Thursday.

The lawmakers were enjoying probably their last "long weekend" except for one or two weeks from now in which the bulk of the new members expect to take part in the annual junket to Jekyll Island.

This weekend two-score of the lawmakers were visiting Chatta- ooga, Tenn., to inspect Georgia - owned railroad property and other property in the Tennessee city.

14d(1) 1960

GEORGIA EDITOR- RALPH McGILL

# McGill Defines 'Real Tragedy'

## Editor Says Politicians Took Away School Problem From the Educators

By ED HUGHES and CURTIS DRISKELL

Atlanta Constitution Editor Ralph McGill told a "keep schools open" meeting Saturday that the real tragedy of the school crisis in the South is that political leaders took the problem away from the educators.

Pointing to the small number of Negroes who would be concerned if placement laws were permitted in Georgia, Mr. McGill asked:

"Could not this have been handled by the school people?

"Of course it could," he said. "And they could handle it in 1961 if they were allowed to."

* * *

**BUT WITH THINGS** standing as they are, and politicians committed to closing schools if necessary, "the extreme, preposterous, malignant views of this other side" will stand as one of the greatest arguments in favor of open schools, he said.

The editor was speaking before a crowd of several hundred persons attending a day-long conference on keeping Georgia schools open.

During the course of the day the participants attended workshop discussions on a number of phases of the school problem and heard an address by Georgia Rep. Erwin Mitchell of Dalton.

The conference, sponsored by HOPE, Inc., and eight other organizations, had private detectives on the door, requiring every one to register. Photographer Ed Friend, employe of the state and outspoken segregationist, was on hand with his camera, although asked to disconnect a tape recorder.

* * *

**MR. McGILL** stated that work done by HOPE and similar groups "is important in that it brings the problem before the public for debate."

He said that some neighboring Southern states protest against such open discussion.

"Is it being un-Southern to say you want the children of the South to be educated?" he asked.

"We often forget that what is at stake is the future of our children. Are they going to grow up unable to assume the positions of employment that others do?

"I like to think that if it could ever be made clear that children and not political careers are at stake, the people would find the right answer," he said.

* * *

**APPLAUSE FOR** the editor followed him along his entire walk from the rostrum to the back of the hall after the talk.

In one of the discussion groups, Atlanta industrial economist Phil Hammer said that school closing would greatly damage Georgia right as it is swinging into its first full-scale industrial revolution.

"Georgia and the South are experiencing the influx of new types of industry," he said. "This new industry requires employes with education and skill. Even the threat of closing schools is more damaging now than at any other time," he said.

After stating that 80 per cent of the state's new industry has come into the five major metropolitan areas, he said that school closing would freeze industry right as it is about to "spill out into other parts of the state."

Unless the school question interferes, the economist said that the next 15 years will bring Georgia its period of greatest growth and industrial expansion.

# Amended School Study Commission Resolution Adopted By Ga. Senate

Atlanta Daily World

Atlanta, Ga.

Thurs. 2-4-60

## May Be Only School Issue Passed Upon

By AL KUETTNER
United Press International

The Georgia Senate Wednesday adopted an amended school study commission resolution and sent the crucial measure back to the House for almost certain approval.

The Senate changes in what probably will be the only legislative action on the school crisis enlarges the commission to 22 members. It also strikes out words accepting the promise that U. S. District Judge Frank A. Hooper was bound by the decisions of the Supreme Court when he ordered Atlanta schools desegregated.

The Senate adopted the House-approved measure 41-0 after 40 minutes of oratory that ranged from Sen. John Greer's observation it was "one of the most important" acts of the session to Sen. Charles C. Smith's stand that "I now volunteer in the southern army to preserve our way of life."

Proponents of a parents choice amendment that would require local elections before desegregated schools could be closed picked up an influential sponsor Wednesday in Representative Chapelle Matthews of Clarke County.

**MOST SENSIBLE APPROACH**

Matthews said that when the crisis strikes in Georgia in the conflict between federal and state statutes on desegregation of public schools that the parents choice plan "will be the most sensible approach."

Matthews predicted that, unless the Legislature adopts something at this session that will satisfy the federal court of "good faith intent," a special summer session will have to be called to deal with the problem.

Rep. James A. Mackay, DeKalb, who drafted the local determination bill, said he gives it no chance of approval at this session but believes it has served a good purpose already by getting to the members for study. The bill also was introduced in the Senate.

Senate amendments to the commission bill added four House members and two from the Senate.

Sen. J. Douglas Carlisle, Macon, got unanimous consent for another amendment changing the wording: ". . . whereas, the Honorable Judge Frank A. Hooper . . . bound by the views of the Supreme Court on the subject, has ruled . . ."

**NOT BOUND BY VIEWS**

Carlisle told the Senate: "I wouldn't say I was bound by the views of the supreme Court in a case that originated in my own court. The Supreme Court has set precedents but they don't follow them."

Greer urged endorsement of the measure "to find out about opinion in the crossroads and little towns." Smith suggested that the "sins of our forefathers," committed in the ante-bellum slave trade, "are being visited upon us." But he said Georgians still are determined to maintain segregated schools.

The study commission will hold hearings in 10 congressional districts, wind up its report by May 1 and report to the Legislature at the 1961 session.

The commission is to make "positive recommendations" to the session "regarding whether or not to submit the questions of schools to the people of Georgia for their determination."

# School Study Commission Bill Sent To Governor

Atlanta Daily World

Atlanta, Ga. Fri, 2-5-60

# After House Approves It

## *Resolution Calls For State Public Hearings*

(By United Press International)

The General Assembly completed action on a resolution setting up a public study commission on the school integration crisis Thursday and sent the measure to Gov. Ernest Vandiver.

The House approved a Senate-amended version of the resolution sponsored by Rep. George Busbee of Dougherty County, by a vote of 108-0. The Senate, which passed the resolution Wednesday, had deleted a reference to the authority of the U. S. Supreme Court and tacked on another amendment adding four representatives and two senators to the original 18-member group.

The resolution is almost certain to be the General Assembly's only legislation on the school question in the face of a federal court order directing desegregation of Atlanta's public schools.

The resolution setting up the school study commission provides that the group will hold one or more public hearings on the integration crisis in each of Georgia's 10 congressional districts. The study must be completed by May 1, and the commission's report will be addressed to the 1961 General Assembly.

Sen. Eulond Clary of McDuffie County introduced the amendment adding four representatives and two senators. He said that the Legislature should have more members on the commission.

**40 MINUTE ORATORY**

The second change was introduced from the Senate floor by Sen. Douglas Carlisle of Bibb County during some 40 minutes of passionate oratory in support of the measure. Carlisle asked that the words "..bound by the views of the Supreme Court on the subject of school integration" be deleted from the resolution.

The phrase was used in connection with U. S. District Judge Frank Hooper, who has ordered the Atlanta School Board to work out a desegregation plan.

Lt. Gov. Garland Byrd, president of the Senate, said he would appoint Sen. Clary and Sen. John Greer of Lanier County to serve on the study commission. There was no indication of which members of the House would get the nod.

Opinion Quest In Dixie

Atlanta Daily World
Atlanta, Ga.
Thurs. 3-10-60

# Negroes In Balcony, Called By First Names At Hearings

**EDITOR'S NOTE: This is the first of a series of articles on the School Study Commission. The series will focus attention on certain "little" things that should be of interest to the readers of this paper; aspects we feel important enough to be reported and interpreted, especially in their relation to our readers.**

By PAUL DELANEY

The Sibley School Study Commission completed its second in a series of 10 hearings Monday in the small community of Washington, Ga., called the Grave of the Confederacy, where the southern rebellion ended. The tiny courthouse in Wilkes County was the scene of the drama in its second act.

White spectators started filing into the courthouse at about 9 a. m., an hour before starting time. By 9:30 all seats for whites were taken and many stood along the walls and occupied seats in the aisles. Still others were seated downstairs and listened over a public address system.

When Chairman John A. Sibley of Atlanta pounded the gavel at 10:01 calling the session to order, there were still seats to be had in the balcony, designated for Negro seating. At 10:15 all available seats in the courtroom were taken.

A well-known figure, Roy Harris, made his appearance and did his table-hopping and hand-shaking; he made his speech later when he took the stand.

**ATTACKS RULING**

Sibley opened the hearings with the same commission statement made at the initial hearings in Americus March 3, with a few elaborations. He attacked the May 1954 Supreme Court ruling saying "Although that decision is devoid of legal reasoning and sociological validity, and sets in motion racial tensions, hatred, and violence, it is binding upon the lower federal courts and will be enforced by them, notwithstanding the evil effect that such enforcement will entail. That is certain."

He said that "Our Georgia laws, in force for nearly a century, are being voided; our schools are being taken over by federal courts; the right of local self government, and the right of our people, both colored and white to educate their own children in their own schools is being denied; and public education is being threatened."

He continued, "our local Negroes" should not be held responsible for tensions and ill feelings. "They are the innocent victims of false leaders, some misguided, some influenced by sinister motives, and many pursuing subversive purposes."

**MORE FEELINGS**

Sibley's control of the hearings were very well; he even handled Roy Harris and others who would have injected many irrevelancies. He urged Negroes to speak what they feel; without any fear.

However, some Negroes felt that as a banker he should have known there was something to fear; as head of the committee he should have noticed fear, and as a white man he should have known they would not get up there in the first place without some kind of coersion.

Negroes were the only teachers appearing before the commission. While most white teachers and principals were in their classrooms Negroes were facing Sibley who asked if they had been pressured.

**FIRST NAMES USED**

Sibley's handling of courtesy to Negroes was nil. White persons being announced as the next to speak by commission secretary, Sen. John Greer, were addressed as Mr. and Mrs. Only Negro clergymen received the courtesy of a title.

One Negro teacher, Mrs. Ann Daniels, apparently asked for none and got none for when Sibley asked her name she stated "Ann Daniels." He then asked her if she was married, indicating to her that she should have used Mrs. Daniels, in one instance, called a Negro "mister, but when he saw it was a colored citizen, he shook his head to show that he had made a mistake.

Negroes in the balcony were visibly displeased with Sibleys method of questioning. He would ask white persons if they preferred the present closing laws or would like a chance to vote on the matter. He asked Negroes if they were for segregation or integration, a very unfair question.

However, the Rev. Robert A. Lark of Augusta, requested that Sibley ask him the same questions that he was asking whites.

One white farmer dressed in black and carrying a Bible intended to support his staunch segregation stand with the scripture but was rebuked by Sibley. He was permitted only to give the passages and not to read them.

The first Negro to testify was T. A. McClendon, a mortician and president of the Negro Voters League of Washington. He handled himself well in the face of "Do you want segregation or integration?" "Which, in your opinion, is best for your race?"

**FOR COURT RULING**

He said, "I believe in abiding by the court's ruling." When pressed if he would like to "mix" the races, he said, "If I was invited to the richest white man's home and the poorest colored man's home, I'd rather eat at the colored man's home. I don't want to go anywhere I'm not invited."

He said that he believes in upholding the law and that "we should go back to prayer." McClendon could not be pinned down on whether he wanted segregated or integrated schools. When asked.

Segregationists were hit at the off-set of the hearings, as the second person speaking, Mrs. R. M. Darby, president of the Washington Women's Club, said her group wanted to vote again on the issue. She followed the mayor of Washington who was 100 per cent for segregation.

The morning part of the session was dominated by citizens desiring the opportunity to vote again on a measure to keep the schools open. In the evening, on the other hand, there seemed to be greater support for segregation.

Many whites urged the abolition of the schools and the use of a private school system. They said they would assume the responsibility for educating their children.

Most of those advocating abolition were mayors, lawyers, businessmen and evidently very successful farmers who were engaged in more than farming, like Lee Carter, mayor of Hartwell, Bootn Williams, Monroe mayor and businessman, Andrew Hill, Jr., Livonia lawyer, and Dr. Frank Gibson, Thomason physician.

It is expected that a businessman, lawyer, mayor or doctor could well afford to send his children to private schools, but the poor people of the 10th district would find it difficult.

# House Approves Study of School Segregation Law

The Atlanta Constitution
Atlanta, Ga.
Fri. 1-29-60

## Committee To Report By May 1

By BRUCE GALPHIN

With a minimum of debate, the House approved a segregation laws study commission Thursday by a vote of 167-2.

Although not openly endorsed by Gov. Vandiver, it is the only measure the administration intends to let pass which even remotely questions the validity of Georgia's "private school" defense of segregation.

The bill authorizes a commission composed of educational, professional and governmental organization leaders to study the school crisis and make a report by May 1.

In other action during a long day, the House voted, 149-14, to submit to the voters a constitutional amendment proposing four-year terms for assemblymen, rather than the present two.

It approved and sent to the governor a reorganization bill authorizing the Supervisor of Purchases to study and lay the groundwork for a self-insurance program.

It also approved an administration bill which would require each department of state government to give the governor a quarterly report on personnel. The measure also provides the Merit System may approve no new salary increases until they are cleared by the budget bureau.

The only full-blown speech on the school laws study group came from Rep. George D. Busbee of Dougherty, author of the resolution.

"I think it's the most important resolution or bill that will be offered this session," Busbee told the House.

The Dougherty solon outlined details of the legal situation faced by the Atlanta Board of Education, which is under orders to integrate. He also recalled that present Georgia law requires closing of schools ordered integrated.

Federal Judge Frank Hooper "demonstrated patience and an understanding of the grave problems which may result in Georgia . . ." Busbee's resolution states, and "it is the desire of this General Assembly to give good faith and consideration to the order and judgement of Judge Hooper . . ."

**TWO QUESTIONS**

Only two questions were raised from the floor.

Rep. Hugh McWhorter asked whether Busbee would accept an amendment to include a call for a special session this summer to consider the school problem.

Busbee replied that he did not think such an amendment would be constitutional, and McWhorter did not push his point.

Rep. Joe Underwood of Montgomery asked: "If this commission finds that the private school system is the best for the state, would it so recommend?"

Busbee said it would, and the vote was called.

**TWO AGAINST**

Voting against the plan were Reps. William Steis of Harris and H. W. Lott of Berrien.

"In my opinion," Steis told a reporter later, "I definitely believe that the state should have complete control of purely state matters and that this resolution was made under duress of the federal court, intervening in a state matter."

Lott stated: "I voted against the study commission . . . because I am against integration of the public schools and do not need a committee to tell me how to vote. The people of my county are firm in their stand for segregation, and I will follow the mandate of the people of my county."

Rep. M. M. (Muggsy) Smith of Fulton, who was not present for the vote, said he would have opposed the plan on the grounds it would "serve no useful purpose."

**SUMMERS TALKS**

Harris and Lott did not speak on the resolution, but earlier in the day Rep. Marvin Summers of Crisp took the floor to make a stand-firm speech similar to one made Wednesday by Rep. Matthews of Colquitt.

"I'd like to advise HOPE and Judge Hooper that if I vote for integrated schools in Georgia, I'd resign from this body, and I don't intend to do that," Summers declared.

Staff Photo—Bill Young

SEES NO WEAKENING ON SEGREGATION
*Rep. Marvin L. Summers of Cordele on House Floor*

Atlanta School Board Supports:

# SPECIAL ASSEMBLY AFTER CRISIS STUDY

Atlanta Daily World

## Fulton, DeKalb Solons And School Leaders Confer

By AL KUETTNER

United Press International

Leadership of the Atlanta School Board threw its support Saturday behind a proposal to hold a summer special session of the legislature following a study of the public school crisis by a legislative commission.

Representatives of the school board met privately with the Fulton and DeKalb delegations of the legislature to exchange views on the school problems.

A federal court has ordered desegregation of Atlanta schools and has approved a pupil placement plan making it possible.

The idea of a study commission, tied in with a special legislative session, was offered by Rep. W. Hugh McWhorter of DeKalb.

**SMITH NOT PRESENT**

Rep. M. M. Smith of Fulton, author of a detailed pupil placement measure almost identical to one devised by the school board and approved by Fedral Judge A. Hooper, was not at Saturday's meeting.

The McWhorter plan appealed to the school board for three principle reasons: 1. It would be an indication to the court of good faith since it requires a special session; 2. At lease the commission part of the plan has strong support in the Vandiver administration; 3 It would give proponents of a Parents' Choice amendment extended time to prefect their measure.

The McWhorter plan is the second to be suggested in the legislature for a special summer session. Rep. E. Culver Kidd introduced a straw vote resoolution providing for a summer session to act upon "the will of the people" as expressed in a perferential election in early June.

The Parent's Choice idea' developed by Rep. James A. Mackey, DeKalb, would require the approval of the majority of the registered voter who are parents of the school children directly affected by the closing.

**DELAY MACKAY PLAN**

It was believed that approval of the commission, special session proposal would cause a hold up in the Mackay plan, probably until the special session.

One member of the group who attended Saturday's meeting said it was "generally accepted" by those present that some form of local determinaton eventually would be the answer to the conflict in Georgia between varying feelings on school integration.

"What we need now is time to get such a plan perfected," this spokesman said.

"It looks like the commission idea coupled with a special session is sound.

A. C. Latimer, president of the school board, said the board is only interested in uninterrupted operation of the schools and so informed the legislators Saturday.

"We don't care what kind of bill is offered so long as it allows us to keep operating schools," Latimer said.

**BUSBEE PROPOSAL**

Meanwhile, Dougherty Rep. George D. Busbee planned a resolution Saturday that would provide for creation of a committee on schools to sample public feeling on the integration crisis.

Under the terms of Busbee's resolution, to be introduced Monday the committee would conduct at least 10 hearings throughout the state, one or more in each congressional district. The committee would be composed of members from political, agricultural, education, business and judicial segments in the state.

Busbee said the hearings, would be started immediately after the adjournment of the current legislative session, would be on the subject: "Maintaining public schools in light of the order and judgment of U. S. Disrtict Court Judge Frank A. Hooper," and: "Whether the people prefer a system of direct tuition grants under the Georgia constitution for use in private schools."

## Segregation Law Study Panel Backed

The Atlanta Constitution

By BRUCE GALPHIN

Lawmakers and proposed study commission members Sunday generally approved creation of a segregation laws study panel but disagreed about its proposed date for reporting.

A bill to be offered by Rep. George Busbee of Dougherty would create a commission of government and professional leaders who would conduct hearings throughout the state and report by May 1.

House Floor Leader Frank Twitty said he is opposed to the May 1 deadline, and Lt. Gov. Byrd said he doubted the job could be done in that time.

But Reps. Quimby Melton Jr. of Spalding and Hugh McWhorter of DeKalb, both outspoken in favor of preserving public schools, said the study would be of no use unless it were completed in time for action before next September.

Gov. Vandiver Sunday declined comment until he could read Busbee's bill.

"First we have to find out what the people are thinking and that probably will take time," Twitty declared.

"I don't want to take the word of legislators or of newspapers. The commission ought to go everywhere, not just to one large city in a county," he added.

The floor leader also questioned the composition of the commission. Those named in Busbee's bill would be good members, he said, but it should also include the governor and more legislators.

**SPECIAL SESSION**

Byrd said he didn't see "the importance nor the necessity of a special session" this summer. "I don't believe this question can be resolved as quickly as that."

The lieutenant governor praised the proposed members as an "outstanding group" and declared that it is "always wholesome to hear from the grass roots," but he added he will "reserve the right to independence of thought and judgment on a matter so vital as this."

McWhorter said he and the rest of the DeKalb delegation are still going to push their parent-choice plan.

The study commission is a good idea, McWhorter said, "but I don't like the idea of waiting until 1961.

"They'd have to call a special session of the legislature" to prevent school-closings, he added.

Melton said he couldn't speak for Federal Judge Frank Hooper but he would guess that the judge would allow time for the study only if it could be completed in time for acting before school starts in September.

Rep. Herschel Lovett of Laurens, who last week called for some plan for keeping public schools open, said Busbee's plan "has merit. It should have serious consideration."

Lovett added that his statement supporting School Board Chairman Jim Peters "had very satisfactory reaction—both in person and by telephone. The tenor of it is that the people are glad to see an open stand that the public schools must remain open."

**ADVOCATED FORMATION**

Speaker George Smith said his first reaction would be that May 1 seems "too early" but he added that "for some time I have advocated formation of a commission for finding how the people feel and what the reaction would be if we were forced to integrate."

"So many people out in the state who can't come to Atlanta would like to be heard," Smith continued. The proposed membership "covers a fine segment of outstanding Georgians, and I feel sure that any report they made would reflect the opinion of the public," he added.

Sen. Carl Sanders, president pro tem of the Senate, commented that the May 1 deadline "might be cutting it down to a right short time.

"I don't see the need for any special session. It would seem to me that it would be soon enough to report back to the General Assembly at its next regular session," Sanders said.

"The proposed commission's make-up is one that should be acceptable by all the people of this state," Sanders continued, and "going into congressional districts and getting state-wide sentiment since the problem appears crucial, and we should hear directly from the people," Hall said.

Others who would be named to the study panel under the proposed bill also expressed a willingness to serve if the governor signs the bill.

Robert O. Arnold, chairman of the Board of Regents, said he was "as adamant for segregation as the governor is, but if this committee could do something constructive, I'd be willing to serve on it."

Arnold said he "made up my mind a long time ago we're just going to have to make a day-by-day approach" to the segregation problem.

Rep. Battle Hall of Floyd, chairman of the House Education Committee and a proposed member of the study panel, also thought that the group "should have enough time to get an adequate expression from people all over the state.

"I think it is an excellent idea and I would be glad to serve if the governor thinks I could be of service," Cowan added.

Mayor Charles Cowan of Cartersville, who would be named to the study commission as president of the Georgia Municipal Assn., likewise thought the May 1 deadline "insufficient . . . too early to sample opinion.

"The resolution sounds like a good idea and I would be glad to serve if the governor thinks I could do something constructive, I'd be willing to serve on it."

Arnold said he "made up my mind a long time ago we're just going to have to make a day-by-day approach" to the segregation problem.

Robert O. Arnold, chairman of the Board of Regents, said he was "as adamant for segregation as the governor is, but if this committee could do something constructive, I'd be willing to serve on it."

Arnold said he "made up my mind a long time ago we're just going to have to make a day-by-day approach" to the segregation problem.

Robert O. Arnold, chairman of the Board of Regents, said he was "as adamant for segregation as the governor is, but if this is the wisest and soundest manner I know of determining how the people feel."

Mayor Charles Cowan of Cartersville, who would be named to the study commission as president of the Georgia Municipal Assn., likewise thought the May 1 deadline "insufficient . . . too early to sample opinion.

"The resolution sounds like a good idea and I would be glad to serve if the governor thinks I could do something constructive, I'd be willing to serve on it."

Arnold said he "made up my mind a long time ago we're just going to have to make a day-by-day approach" to the segregation problem.

Robert O. Arnold, chairman of the Board of Regents, said he was "as adamant for segregation as the governor is, but if this committee could do something constructive, I'd be willing to serve on it."

Arnold said he "made up my mind a long time ago we're just going to have to make a day-by-day approach" to the segregation problem.

# Vandiver Offers School-Sale Bill

The Atlanta Constitution
Atlanta, Ga.
1-14-60

By BRUCE GALPHIN

Without fanfare, the administration Tuesday offered a bill allowing school boards to sell schools as a solution defiance of court integration orders.

At his news conference, Gov. Vandiver vowed he would veto any measure passed at the session of the Legislature which would countenance any integration.

But the governor said he was "no prophet" and could not predict what would happen later if court orders forced him to close schools.

In answer to a question, he agreed that "the people make the laws."

"I want it clearly understood I want to leave the schools open as long as the federal court will leave them open," Vandiver declared.

But under existing Georgia law, he said, integration is unconstitutional, and "it's my duty to enforce the law . . . I'd veto any enabling legislation. I wouldn't be discharging my obligation if I didn't."

Vandiver added that he did not expect any integration legislation would get more than 10 votes anyway.

Meanwhile, Vandiver's legislative lieutenants introduced a bill authorizing any county or city school board to sell its property when . . . such sale is deemed advisable or in the best interest of the school system."

An administration source said he believed this bill would survive even if Georgia's other segregation defenses are ruled unconstitutional.

The bill thus appears to be a hedge against the possibility that integration might be ordered in a community which would prefer no schools to integrated schools.

At present there is no state law which would allow a board to get rid of the public school business.

A 1956 act authorizes boards to lease buildings for periods not exceeding five years, but the administration apparently fears that act might fall in a court challenge.

Floor Leader Frank Twitty said the only way a school can be sold now is by its being declared surplus and sold to the highest bidder.

The new bill says nothing of high bid.

"Any sale made hereunder shall be effectuated on such terms and in such manner as the board of education or other governing authority may prescribe," it states.

The bill further provides that the school board may sell the property even though title may be vested in the name of a city or county.

The bill is signed by Twitty, Speaker George Smith, and Reps. Joe Underwood of Montgomery, Jack Ray of Warren and Roy McCracken of Jefferson.

# Bill To Sell Schools Jars Gov. Vandiver

The Atlanta Constitution
Atlanta, Ga.
1-14-60

By BRUCE GALPHIN

Introduction of the bill authorizing outright sale of public school buildings apparently caught some administration leaders off guard.

Gov. Vandiver himself expressed surprise Wednesday at some features of the bill.

Atlanta, Ga. 1-28-60

And Floor Leader Frank Twitty, who is one of the signers of the bill, conceded it may take some "clarifying amendments."

The bill came as something of a surprise Tuesday in view of Vandiver's pre-session announcement that he would have no new segregation measures this session.

The bill would authorize local boards of education to sell any school property without taking competitive bids "when . . . such sale is deemed advisable or in the best interest of the school system."

Another provision—the one that Vandiver questioned—states that boards of education may sell the property even when title is vested in city or county governments.

"I haven't seen that provision. I don't see how you could sell something you don't have title to," the governor declared.

Twitty said later that the bill presumes such sale would be ratified by the governmental unit holding title to the school property.

"It may take some clarifying amendments," the floor leader said.

Vandiver and Twitty also had different interpretations of the bill on another point.

At his news conference the governor said the bill "refers only to those school buildings owned enirely by the counties or cities . . . and not those built by the State School Building Authority."

**ALL BUILDINGS**

But the floor leader said the bill embraces all public school buildings in the state.

Of course, any sale of a building on which bond payments are still due would have to include an agreement to continue payments on outstanding debts, he explained.

The bill apparently is a means for providing physical facilities should public schools be closed as a result of court integration orders and private educational organizations be founded in their place.

Besides Twitty, it is signed by Speaker George Smith and Reps. Joe Underwood of Montgomery, Jack Ray of Warren and Roy McCracken of Jefferson.

**BYRD SUPRISED**

But Lt. Gov. Garland Byrd, questioned Wednesday about the bill, declared:

"The first knowledge I had of the bill was when I read that it was introduced in the House."

Another Senate administration leader, President Pro Tem Carl Sanders of Augusta, said he had not been briefed on the bill.

Sanders added that he had "missed a couple of meetings" at which the bill might have been discussed.

# Vandiver Still Pushing Against School Change

Atlanta Daily World
Atlanta, Ga.
1-15-60

**By United Press International**

Gov. Ernest Vandiver made it plain Thursday that no one but himself speaks for his state administration on the public school integration issue.

The governor prepared a written statement on the matter which was distributed to newsmen at his morning conference. It referred to comments made Wednesday by former State Purchasing Supervisor William R. Bowdoin praising State School Board Chairman James S. Peters for his "realistic view" on the integration question.

Vandiver noted that Bowdoin served "with great distinction" during the first nine months of his administration and raised him as a man "of high character, sterling ability and unquestioned integrity."

Then he added that while Bowdoin has the right to express his views on the school issue as a private citizen, "I want it distinctly understood that on this matter, and other matters of policy, Ernest Vandiver and Ernest Vandiver alone, will enunciate those of the present administration."

"My position needs no reiteration," the governor's statement continued. "I made it perfectly clear in my message last week. Let there be no mistake about that."

Vandiver in his address to the Legislature last week promised an all-out fight against attempts to integrate schools.

Less than a week later, disclosure was made of a letter Peters wrote to Augusta arch-segregationist Roy Harris in which the State School Board official said "some integration" was inevitable.

Bowdoin now an Atlanta banker, praised Peters' call for a workable solution to the integration issue. He warned that school closings pose a threat to manufacturing firms and businesses in the state and called on Georgia businessmen to "stand up and be counted" in the controversy.

# Rep. Smith Prods

The Atlanta Constitution

# Panel to Release

Atlanta, Ga.

# Open-School Bill

Thurs. 1-28-60

## Maneuvers For House Showdown

By RICHARD ASHWORTH

Moving to prevent committee death for his bills to keep Atlanta schools open, Rep. M. M. (Muggsy) Smith said Wednesday he will ask a House subcommittee to take action on them.

If the action is unfavorable, Smith added, he will "then endeavor to get a minority report on them" so the matter of keeping schools open can be brought before the Georgia House.

Rep. Roy McCracken of Jefferson County, chairman of the State of Republic Committee, declared, however, "Due to the strong feeling for continued segregation on the part of all the members of the committee, I do not see any chance of (the bill) coming out of the committee."

The bills propose adoption of the Atlanta Board of Education's pupil placement plan, as ordered by federal Judge Frank A. Hoop-er, and seek to repeal segrega-tion and school-closing laws which would prevent the plan's opera-tion.

Meanwhile, Wednesday the House Rules Committee approved a school study commission bill which has been heralded as the Legislature's answer to the school integration crisis.

Authored by Rep. George Busbee of Dougherty County, the bill would set up a 13-member legislative committee which would tour the state between now and May 1 and determine by hearings in each congressional district whether voters want public schools with token integration or private schools with state tuition grants.

The school crisis touched off these further developments:

1. Fulton Rep. Smith appealed to teen-age youths of Georgia to let themselves be heard on the school-closing question since they have "more to lose than any other group" if schools are closed to avoid integration.

2. DeKalb County's legislators readied the final draft of a parents' choice amendment—to be offered Friday—which would let parents decide by vote whether a school is to be closed.

3. Cobb County's legislators received a lengthy telegram signed by 657 citizens who said they "prefer controlled desegregation rather than closed public schools."

4. HOPE, Inc., the organization formed to urge keeping schools open, declared it is "shocked and dismayed by Gov. Vandiver's statement" Tuesday that he would veto any legislation the General Assembly "might enact to help Atlanta maintain public schools."

5. Colquitt County Rep. Dorsey Matthews took the floor of the House to decry the fact that "nearly every day now one or two or more" legislators "falls by the wayside" on the previously solid school segregation front.

6. All but one of the legislators in the state's First Congressional District signed a "reaffirmation declation" on their position "as being unalterably opposed to the insidious principle of integration."

**SMITH "AMAZED"**

Rep. Smith, in declaring his intentions to seek definite action on his school bills which were sent to a five-man subcommittee of the State of Republic Committee, also asserted his "amazement" at the position state leaders continue to take on the school question.

Smith said that in the face of the "barrage" of petitions for open schools, he was amazed that the governor and members of the Legislature urging closing of schools to avoid integration "continue their voiced opinions that they are speaking for all the people of Georgia."

**"I do not concede that to be a fact," he added.**

Urging youth to speak up on the school question, Smith said all groups—churches, college students, PTAs and businessmen—have been heard from except some 400,000 pupils who would be affected the most.

**ASKS TEEN-AGERS**

Smith suggested teen-agers write to Gov. Vandiver, to him and to fellow legislators to record how they stand on whether schools should be closed.

Rep. Harold Willingham of the Cobb delegation said the 31-page telegraph petition put Cobb legislators "in a dilemma" because the legislators have already received 700 or more letters urging a firm stand against school integration.

The telegram, which Willingham said was the "longest ever delivered in Marietta," was signed by citizens in Marietta, Acworth, Smyrna, Kennesaw, Powder Springs and rural areas.

It said the signatures are those of "thinking, responsible private citizens of Cobb County who are looking to you to fulfill your obligations on the matter."

DeKalb's legislators completed the final draft of the parents' choice bill which would delay the operation of any Georgia school-closing law until parents of children in an affected school vote on the matter.

**MODIFIED VERSION**

DeKalb Rep. James A. Mackay said the measure is a modified version of one now in effect in North Carolina. He said the delegation as a whole plans to appear before the House committee which gets the bill to urge its passage.

The bill also includes a declaration of "legislative policy" which declares, "Our people in each community need to have a full and meaningful choice as to whether a public school, which may have some enforced integration, shall continue to be maintained and supported in that community."

The HOPE statement decrying Vandiver's statements declared Georgians have been "looking to the Vandiver administration for leadership in the school crisis."

Not only has he failed to suggest any means to avoid closing schools, but he has vowed to "block any effort" to adopt legislation to allow communities "to meet the crisis posed by federal court orders," the statement said.

Vandiver's promise to veto legislation "would seem to demonstrate a surprising lack of respect" for General Assembly members, it adds.

Colquitt Rep. Matthews declared in his speech that there is no need for a straw ballot or referendum "to know how nearly four million people feel about the integration or school problems."

Matthews branded "every thought and move" for a straw vote or study commission to implement token integration "a move into the enemy's hands."

"I don't believe that the General Assembly and governor of Georgia are going to let the schools close; neither do I believe they will permit any token integration without a fight to the last straw," he added.

It is one thing for a federal judge to order integration, "but it's another thing to force the people who are the government to do it," Matthews said.

He termed "capitulation" moves a "stab in the back" for fellow Georgians and the past and the present governor.

Mitchell County Rep. Tom Palmer, principal mover behind the "reaffirmation declaration," asserted it was touched off by a similar one by members of another congressional district.

It called for "calm, level-headed deliberation and stanch, immovable principles which have been handed down to us by the illustrious forebears we share . . ."

"We feel that is fitting and proper that we make this affirmation of our position in light of the fact that certain forces are trying to portray a picture of rapidly crumbling walls in the fight to maintain states' rights."

# Smith Offers 6 Bills Opposing Closed Schools

Atlanta Daily World

Atlanta, Ga.

United Press International

"Save Our Schools" legislation began rolling Monday through the Georgia House, including a measure that would allow voters to decide whether the state's constitutional ban against integrated schools should be repealed.

A House sub-committee was given the assignment of studying six bills offered by Fulton County Rep. M. M. Smith, who told the group it is my city where the schools will close first."

One of Smith's measures would implement a 'pupil placement' plan offered by the Atlanta School Board and approved by a federal court which has ordered desegregation of the school system. His other bills would repeal existing segregation laws.

Shortly before Smith's plans were taken up by the House State of the Republic Committee, three other House members offered a resolution that could cut the heart out of the state's racial laws.

**REQUIRE 2-3rds VOTE**

The legislation, which would require a two thirds vote in both houses, would submit to the people in November a constitutional amendment repealing a section which provides that "there shall be separate schools for the white and colored races."

Gov. Ernest Vandiver predicted the amendment would get no more than 10 votes, and Chairman Roy McCracken of the State of Republic Committee commented:

"We don't propose to allow any integration in this state."

McCracken said he would appoint the subcommittee to study Smith's bills Tuesday morning. He added he expects the group to make a report within a reasonable time so that the Atlanta plan can be brought to a committee vote.

Smith warned in his committee appearance that failure to adopt a pupil placement law probably would result in a full desegregation order from the federal court by next September.

The committee voted unanimously to send his measures to a subcommittee.

When Smith's placement plan was read in the Senate, Atlanta Sen. Charles Brown said he felt Atlanta already had the right to institute the program and consequently there was no need for legislation on the subject now.

**INCREASING SUPPORT**

There was increasing support, even among the most conservative elements of the Legislature, for action making it possible for schools to remain open here, even if integrated. But without a green light in committees that were heavily - controlled by administration forces there was little chance of their even getting to the floor.

"The matter is squarely up to the General Assembly and more directly it is in the lap of this committee," Smith said. "Recriminations and loud shouting have no place in the scheme of things now. We either obey the federal government or we face the consequences."

Smith said he is convinced that no legislator now believes that Georgia laws can prevail against federal court decisions.

"They have failed in Little Rock; they have been eliminated in Virginia; they were never invoked in North Carolina; they are passed in Tennessee," Smith said.

**FULL SCALE ELECTION**

Reps. E. Culver Kidd and Philip Chandler of Baldwin County in middle Georgia and Fred Walker of Lowndes County in the deep south of the state, introduced the resolution calling for a full scale general election on the school issue.

Walker said the "mandate of the people" measure would be a companion to other pending legislation that proposes creating a study commission that would report back to the 1961 session of the Legislature.

"The mandate expressed in November would be a valuable guide to the study commission in forming any plans they may have to keep the schools open," Walker said.

Backing up another side of the open -schools campaign. representatives of the Help Our Public Education HOPE group presented House Speaker George Smith 10,024 signatures on a "save our schools" petition. Smith promised to bring the document to the attention of the House.

# Open-School Bills Go to Floor Today

The Atlanta Constitution
Atlanta Ga

By RICHARD ASHWORTH

Two key measures in the efforts of local legislators to keep Atlanta's public schools open will be presented in the Georgia House Friday.

One of them is an important substitute for a measure already introduced. This was aimed at clarifying a 1959 law which has been interpreted as keeping the Atlanta Board of Education from borrowing funds for operational purposes.

The other is the DeKalb County delegation's "parents choice" amendment which would let parents of children in a school ordered integrated determine by vote if it should be closed or remain open.

Rep. Ralph McClelland of Fulton, one of the original authors of the bill to clarify the 1959 law, said Thursday he will substitute the new amendment Friday for the one already introduced.

The new measure clears up a technicality which has had city officials fearing that Atlanta schools might go broke before February's end. The technicality, it was learned, caused local bankers to feel they could not loan the city money to operate the schools.

It involved the question of whether bankers should be left with the duty—before making a loan—of determining whether or not a Negro had been admitted to a white school.

This is a point of concern because both the present state law and the earlier proposed amendment—which has been approved and Negro students have been admitted.

The new amendment says the lender may be provided a certificate by city officials as to the fact that members of both the white and colored races have not been admitted to any one public school in the system prior to the time of making of any such loan.

As did the earlier bill, the new measure says the proceeds of a school tax may be used for the support of any public school "until one or more members of both the white and colored races are admitted" to one school.

**BORROWING OF FUNDS**

Involved in the matter is the Atlanta school board's usual practice of borrowing funds from banks each year against anticipated tax receipts to operate schools until taxes come in durthe fall.

Present law says that taxing powers end when a competent court orders integration. U.S. Judge Frank A. Hooper did this in the Atlanta school desegregation suit. And that raised the question about the school finances.

Rep. James A. Mackay said all members of the Fulton, DeKalb and Bibb County delegations in the House have signed the parents choice bill and copies of it have been made available to other big-county legislators.

Mackay said the delegation will present the bill to House Clerk Glenn Ellard after other legislators have had a chance to sign the measure.

**COPIES PRESENTED**

Copies of the bill were presented to legislators from Fulton, DeKalb, Cobb, Chatham, Richmond, Muscogee, Floyd and Bibb counties, and other legislators were also invited to sign the measure.

Mackay said present signers of the bill represent more than a million citizens.

Meanwhile, Fulton County Rep. M. M. (Muggsy) Smith said he will give a subcommittee of the State of Republic Committee 10 days to two weeks to act on anti-school closing bills he introduced.

If the committee has not acted by then, he said he will ask for a "definite" report, either favorable or unfavorable. If the action is unfavorable, Smith said he would seek to get a minority report before the House.

Smith pointed out that one member of the subcommittee, Rep. M. L. Summers of Crisp County, made a "violent" segregation speech on the floor of the House Thursday.

With that, Smith said he didn't "see any chance of anything concrete coming out of the committee."

He added, however, that with pressure mounting daily for open schools, he still has a "glimmer of hope" that legislators can do something to keep schools open.

**TO PREVENT CLOSING**

The Fla. Times-Union
Jacksonville, Fla.

# School Bills Filed In Georgia House

ATLANTA, Jan. 25 (UPI)—"Save our schools" legislation, including a measure that would allow voters to decide whether the state's constitutional ban against integrated schools should be repealed, began rolling through the Georgia House today.

A House subcommittee was given the assignment of studying six bills offered by Fulton County Rep. M. M. Smith, who told the group "it is my city (Atlanta) where the schools will close first."

One of Smith's measures would implement a pupil placement plan offered by the Atlanta school board and approved by a federal court which has ordered desegregation of the Atlanta school system. His other bills would repeal existing segregation laws.

Shortly before Smith's plans were taken up by the State of the Republic Committee. three other House members offered a resolution that could cut the heart out of the state's racial laws.

The legislation, which would require a two-thirds vote in both houses, would submit to the people in November a constitutional amendment repealing a section which provides that "there shall be separate schools for the white and colored races."

**Sees Little Support**

Gov. Ernest Vandiver predicted the amendment would get no more than 10 votes, and Chairman Roy McCracken of the State of the Republic Committee commented that "We don't propose to allow any integration in this state."

Smith warned that failure to adopt a pupil placement law probably would result in a full desegregation order from the federal court by September.

The committee voted unanimously to send his measures to a subcommittee.

When Smith's placement plan act was read in the Senate, Atlanta Sen. Charles Brown said he felt Atlanta already had the right to institute the program and consequently there was no need now.

There was increasing support, even among the most conservative elements of the Legislature, for some action making it possible for schools to remain open here even if integrated. But without a green light in committees that are heavily controlled by administration forces, there is little chance of their even getting to the floor.

**Up to Legislators**

"The matter is squarely up to the General Assembly and more directly it is in the lap of this committee," Smith said. "Recriminations and loud shouting have no place in the scheme of things now. We either obey the federal government or we face the consequences."

Smith said he is convinced that no legislator now believes that Georgia laws can prevail against federal court decisions.

"They have failed in Little Rock; they have been eliminated in Virginia; they were never invoked in North Carolina; they are passe in Tennessee," Smith said.

Meanwhile, Reps. Culver Kidd and Philip Chandler of Baldwin County in Middle Georgia and Fred Walker of Lowndes County on the southern border introduced a resolution calling for a full-scale general election on the school issue.

Backing up another side of the open-schools campaign, representatives of the Help Our Public Education (HOPE) group presented House Speaker George Smith 10,024 signatures on a "save our schools" petition. Smith promised to bring the document to the attention of the House.

# DeKalb Jury Urges Parent Plan

Modification of state segregation laws to permit "controlled integration" under a parents-option plan was urged Monday by the DeKalb County grand jury.

The DeKalb jury said such a plan would enable Georgians to "make the best of an unfortunate situation" in which the shutdown of public schools "appears almost certain at this time."

Commending the DeKalb legislative delegation for its persistence in trying to get a "parent choice" plan through the General Assembly, the jurors in term-end presentments predicted:

"We are confident that when our public schools are actually shut down . . . there will be a rush of outraged parents demanding the enactment of some such plan to permit continued public education of their children."

The way out of the dilemma, the jury said, is to modify state laws "to enable our schools to remain open, even at the cost of some controlled integration in such instances as that may be the price, if the parents, by majority vote, so decide.

"Some evidence of increasing support for the plan" was noted as the 1960 Legislature "drew to an end," the jury said.

Unfortunately, the jurors added, the "closed minds" of state leaders "prevented it (the parent - choice plan) from even being discussed in that body (the General Assembly)."

The DeKalb delegation was urged by the jury to continue publicizing the option plan "so that the people may come to realize" that it offers "a fair and acceptable solution to this most distressing but urgent problem."

Turning to present welfare assistance laws — which the jurors said "make it attractive for certain people to produce illegiti- children" — the jury rec-

ommended that the governor appoint a special study group to look into the situation.

Some may get hurt—

# School crisis involves fate of politicians

BY LEROY SIMMS, News staff writer

The political fortunes of such leading Georgia figures as Sen. Herman Talmadge, Gov. Ernest Vandiver, former Gov. Ellis Arnall and perhaps even former Gov. Marvin Griffin are deeply involved in the present fight between state and federal authority over school integration.

**This fact was spotlighted recently when "elder statesman" James S. Peters, chairman of the Georgia State Board of Education, declared "some form of integration is inevitable," and then went on to point out its political implications.**

## Atlanta authorities powerless

THE ATLANTA SCHOOL authorities currently are caught in a seemingly hopeless conflict between Georgia laws which prohibit integrated schools and a federal court order which fixes next September as the time for integration to begin.

Atlanta authorities themselves are powerless to do anything about either the federal or state stands. And the Atlanta Board of Education president has warned that "court decisions in Arkansas and Virginia have clearly stated that a state cannot close one or a few schools."

He added that suits would be necessary to close other schools and, of course, the Atlanta school authorities would not bring such suits.

## The implication is clear

BUT THE IMPLICATION is clear, and many Georgians are convinced, that the National Assn. for the Advancement of Colored People, would take the lead in forcing other closings through action in federal courts.

The NAACP is hailed as the chief protagonist in this bitter showdown over integrated schools in Atlanta. It is the NAACP's first major showdown campaign to open a crack in 100 per cent segregated public schools of the Deep South.

Peters said in his January statement on school integration was that closing of Atlanta schools would bring on a political revolution in Georgia.

### 'Integration: Second Battle of Atlanta'

*Georgia is face-to-face with the actuality of admitting Negroes to Atlanta schools or closing all the schools in Georgia, Negro and white.*

*Because Georgia is a next door neighbor, because Alabama can expect to be next at any stage of this game that the NAACP is playing with Southern tradition, The Birmingham News sent its managing editor, Leroy A. Simms, to get the full background story, to talk to the actors in this drama, to move throughout Georgia and find just how householders, parents, Negro and white look upon this situation.*

*Will Georgia take the NAACP forced - integration program or will the state close down its educational system? Mr. Simms has some strong answers, answers he got from the people themselves. Follow him each day in his "Integration: Second Battle of Atlanta."*

**SEN. HERMAN TALMADGE FACES CRISIS**
**. . . Could get hurt in school revolution**

**A revolution, if successful, overthrows the persons in power. Those now in power in Georgia are Sen. Herman Talmadge, Gov. Ernest Vandiver, and Sen. Richard B. Russell.**

Russell, however, is not discussed by Georgia politicians as one of those who would suffer from school closings.

That leaves Talmadge and Vandiver as the men most in danger.

In fact, Peters sees the closing down of schools as a major threat to the Talmadge hold on the state.

**Peters, a Talmadge man, is not an ivory tower theorist. He has long been a practical and successful politician.**

Like so many Georgia political leaders, he is from a small town, Manchester, with a population of some 4000. It is in the eastern portion of middle Georgia. He thus escapes whatever political liabilities accrue to "the big city folks" in a state where nearly complete political power lies with the small counties.

## Ex-Gov. Ellis Arnall stands to gain

PETERS BROUGHT GEORGIA political circles up sharply to attention in a letter to Roy Harris, a 100 per cent segregationist from Augusta. Harris disagreed strongly and suggested Peters' usefulness on the State Board of Education was at an end.

But the letter was a favorite topic of conversation for days in each of the 159 courthouses where Georgia politicians congregate. It foresaw, among other things, that former Gov. Ellis Arnall would be a beneficiary of any school closings.

**Arnall, the state's chief executive during the World War II years and the man who lowered the voter registration bars to allow many thousands of Negroes to become qualified, promptly announced he would run for governor again if the schools were closed.**

He would run on a promise to reopen the schools.

TO SAY THAT ARNALL is unpopular with the current political powers in Georgia is a vast under statement. Any move which might return Arnall to the governor's office is one which under ordinary circumstances, would be unthinkable to those now in control.

But the integration controversy is one far from ordinary.

## Integration would be signal to Griffin

On the opposite side of the fence from Arnall, in the minds of many Georgia political observers, is former Gov. Griffin. He would be apt, they figure, to make countless bales of political hay from any school integration.

Griffin, they think, could attempt a political comeback against any group which permitted racial mixing in any Georgia school.

The principal walkers of this political tightrope are Talmadge and Vandiver. Both are strongly against any school integration. Also, they know as practical men that widespread closing of schools will anger many voters.

If they can solve this riddle without getting hurt, they will perform one of the political miracles of history.

Vandiver's office has been swamped with mail on the school question. His office staff says the writers are overwhelmingly in favor of keeping segregated schools at any cost. That may be a key to what to expect in Georgia next Fall.

**(WEDNESDAY: How other Georgia cities see the integration crisis.)**

Facing hard reality—

# Small towns, Atlanta differ on integration

BY LEROY SIMMS, News staff writer

Faced with the hard reality of token integration or closed schools in Atlanta, rural and small-town Georgia differ from the state's major city.

Outwardly, at least, the rural areas want to hold the segregation line at all costs.

Such Georgia cities as Savannah, Macon, Augusta and Colum-

bus are somewhere between the Atlantans, who want to accept a small number of Negro students as high school seniors this Fall, and the small towns, where sentiment is strong for all-out resistance.

SIMMS

Atlanta's school board has obeyed a federal court order to come up with the plan for integration in September. The Atlanta plan would provide grade-a-year integration with the first grade last in a successive line.

The Atlanta plan, now before the Georgia General Assembly with only slight chance of passage, also includes a pupil placement bill similar in most respects to the one now in force in Alabama. It would allow school authorities to designate the school a pupil must attend but omits race as a basis for the designation.

## Predicament evokes sympathy

ATLANTA'S UNENVIABLE PREDICAMENT evokes sympathy throughout the state. But in rural regions remote from Georgia's capital there is little support for anything which would allow the slightest deviation from the generations-old belief that racial separation is the only way.

Georgia cities other than Atlanta are more divided.

**Soft-spoken Savannah, still somewhat inclined to look down in scornful amusement at such Johnny-come-latelys as Atlanta, in a major battleground.**

One Savannah business executive, who was born and grew up in Pennsylvania, and his wife are on opposite sides of the fence. She and her family have lived in Savannah for generations.

She believes some integration is inevitable and advocates passage of the "Atlanta plan" bills which would repeal the Georgia segregation laws.

Her husband strongly opposes any concession. He agrees with a Savannah church worker, who sees the present Deep South showdown as a real turning point in our civilization.

The church worker is 100 per cent against even token integration.

A favorite expression in such Georgia towns as Toomsboro, Swainsboro, Midway, Hinesville, Jesup, Baxley, Hazlehurst, Woodbury, Fort Valley, Standing Rock and Thomaston is: "There is no such thing as a little integration, any more than you can be slightly pregnant."

They are, in some cases at least, familiar with the unhappiness of the National Association for the Advancement of Colored People with token integration in North Carolina and Arkansas.

**The NAACP has been spearheading the moves to integrate Southern schools since the 1954 U. S. Supreme Court decision, written by Chief Justice Warren and given unanimous court approval. That decision reversed previous Supreme Court decisions and declared segregated schools were in violation of the Fourteenth Amendment to the Constitution.**

Unlike Atlanta, a sizable number of other Georgia communities have given at least a cursory look at what might happen if their own public schools were closed.

## 'Integration: Second Battle of Atlanta'

*Georgia is face-to-face with the actuality of admitting Negroes to Atlanta schools or closing all the schools in Georgia, Negro and white.*

*Because Georgia is a next door neighbor, because Alabama can expect to be next at any stage of this game that the NAACP is playing with Southern tradition, The Birmingham News sent its managing editor, Leroy A. Simms, to get the full background story, to talk to the actors in this drama, to move throughout Georgia and find just how householders, parents, Negro and white look upon this situation.*

*Will Georgia take the NAACP forced - integration program or will the state close down its educational system? Mr. Simms has some strong answers, answers he got from the people themselves. Follow him each day in his "Integration: Second Battle of Atlanta."*

## Believe funds available

MOST GEORGIANS BELIEVE STATE school funds, given on a per-pupil basis, would be available for costs of private schools. This is a point not yet made clear by the U. S. Supreme Court. State school funds have long been used, however, by various Southern states to meet part of the costs of sending students to states other than their own for college courses not available in their own states.

It has been used for many Negro college students attending out-of-state colleges for technical courses not available in their schools.

**At least one Georgia city has made a survey of classrooms available in church education buildings. Those who made it say ample space is available. The survey covered both white and Negro churches.**

In one mid-Georgia town, less than 10,000 in population, an outspoken advocate of separate schools said:

"We have a lot more churches than schools. We'd have plenty of room, even if the federal government says we can't use the fine new school buildings we have."

In many places, especially in the smaller communities, the consensus was a slight variation of "It can't happen here."

Time after time, farmers, business men and merchants pointed to the fine equipment of all-Negro schools and said, "No sensible colored person would want to give all that up." They seemed to take it for granted that integration orders would be followed by a school shutdown.

## Reluctant to discuss crisis

JUST AS WAS THE CASE in Atlanta, many rural and small town Negroes were reluctant to discuss the school integration crisis.

One, in Savannah, said, "Well, if it's the law, it's the law. Most folks here don't pay much attention to it. The teachers can't say anything either way, anyhow."

**In a smaller and more southerly Georgia town, a filling station owner said, "Well, I've talked with several colored school children, and they know about it (integration). One told me, 'If they put us in the white schools, Mr. ——, I'll just have to quit school, that's all.' "**

The Atlanta school case is the only one before the courts in Georgia. Petitions asking for integration schedules have been presented to school authorities in Cobb County (Marietta) and Chatham (Savannah). Neither school board has announced any integration plan.

## Well aware of troop use

THROUGHOUT GEORGIA THE USE of federal troops in Little Rock is well known. In Toomsboro, a farmer said, "If we have to have soldiers here, they can keep the schools open with bayonets, but I don't have to send my children to school. Nobody can make me. And our colored folks wouldn't want to go to school with us, anyway.

"We won't ever have any problem here, unless the outside agitators hire somebody to make trouble."

A housewife in a South Georgia county seat said:

**"We can have private schools to educate the white children. Maybe we couldn't have buses to bring them to school. But they could get there. We would not let our children go to any integrated schools, and we could get rid of all our school taxes."**

County politicians generally agreed that public schools must run and segregation must be maintained. Just how this could be done, they did not say. Most said they thought no "colored people here would want to disturb things. They have good schools of their own, with their own teachers, and they know they could not pay to educate their children by themselves."

# Token mixing Atlanta plan faces defeat

BY LEROY SIMMS, News staff writer

Any state action to allow token integration this Fall in Atlanta schools must clear the twin hurdles of the Georgia General Assembly and the desk of Gov. Ernest Vandiver.

Both hurdles appear insurmountable.

**The governor is pledged to preserve segregation in all Georgia public schools, come what may.**

A good majority of the members of the General Assembly now in session are similarly pledged to prevent any NAACP break-through in the Deep South's solid front against integrated schools.

SIMMS

Atlanta, with 116,000 white and Negro school children and no apparent major unhappiness with present conditions, is under a federal court order to begin an integration plan in September.

THE NAACP, WHICH has spearheaded moves to integrate schools since the 1954 U. S. Supreme Court decision outlawed segregation, has no apparent widespread support in Atlanta. There is strong sentiment there to accept token integration as a lesser evil than closing the schools.

**Georgia law prohibits integrated schools. The federal court edict says Atlanta can't have segregated schools. Those two hard facts add up to the prospect of having no Atlanta schools this Fall.**

The Atlanta token integration plan ,now before the General Assembly for legislative approval in the form of the repeal of segregation laws, would allow integration this September in the senior high school class. It would add one grade per year to permit integration in all high and elementary schools in 12 years.

Vandiver, young and politically ambitious, rejected the Atlanta plan last December.

More recently, he has acted with his legislative leaders to put up road blocks in the General Assembly. In addition, he has said he would veto any integration bills because the Georgia constitution provides for separate schools.

The governor is a key figure in Georgia politics and in actions of the General Assembly.

The 41-year-old Vandiver is no exception. Up to now, he has been given most of the legislation he wanted, and little he did not approve.

When the federal court ordered an integration plan started in Atlanta schools, Vandiver said he wanted to "call attention to the fact that this and similar litigation in the past did not originate spontaneously among the people of the state of Georgia.

"Rather," he said, "it is inspired by out-of-state agitators and is financed by out-of-state funds."

## 'Integration: Second Battle of Atlanta'

*Georgia is face-to-face with the actuality of admitting Negroes to Atlanta schools or closing all the schools in Georgia, Negro and white.*

*Because Georgia is a next door neighbor, because Alabama can expect to be next at any stage of this game that the NAACP is playing with Southern tradition, The Birmingham News sent its managing editor, Leroy A. Simms, to get the full background story, to talk to the actors in this drama, to move throughout Georgia and find just how householders, parents, Negro and white look upon this situation.*

*Will Georgia take the NAACP forced - integration program or will the state close down its educational system? Mr. Simms has some strong answers, answers he got from the people themselves. Follow him each day in his "Integration: Second Battle of Atlanta."*

## School building program favors Negro

HE ALSO HAS LABELLED federally-forced integration as a facet of the "ever present, underlying Communist plan to divide and conquer" the United States.

The young state executive likes to call attention to the tremendous school building program in Georgia since 1952. More than $300 million have gone into new buildings with more than half of it for Negro schools. Negroes make up less than one-third of Georgia's population.

GEORGIA GOV. ERNEST VANDIVER
. . . Pledged to preserve segregation

**Like so many others, the Georgia General Assembly is dominated by the small counties. In fact, it is perhaps more under the rule of the small counties than any other.**

Georgia has 159 counties, dozens of them with less than 10,000 population and one, Echols, with only 2494.

The House has 205 members. Eight counties, ranging in population from Fulton's 473,572 to Cobb's 61,830, have three members each. Some 30 others have two members. That leaves 121 members for the small counties.

## Atlanta favors token mixing to closing

MANY POLITICAL PROPHETS in Georgia believe the state's attitude on token integration now is this:

The Atlanta area, with more than one-fourth of the total Georgia population, favors accepting token integration as less repugnant than closing the schools.

**The remainder of the state opposes such acceptance, with the larger cities more evenly divided on the issue than the smaller cities and the rural areas.**

If that is the case, and a tour of Georgia indicates that it is, the makeup of the General Assembly makes staunch segregation sentiment there far more overwhelming than it is in the state as a whole.

Just last week, the "absolutely no integration" bloc announced it had firm agreement from enough members to defeat any integration legislation.

Over Georgia schools—

# Teachers try to keep out of argument

BY LEROY SIMMS, News staff writer

Georgia's school woes have been debated with great heat by parents and politicians since a federal judge ordered Atlanta to plan to admit Negroes this Fall.

Little or nothing, however, has been heard from the men and women who teach the state's million white and Negro pupils.

Atlanta has submitted a plan to the Georgia General Assembly which would permit integration of high school seniors this Fall. It is given little chance of passage.

SIMMS

Teachers have been reluctant to get into the raging controversy over whether it is better to accept a few Negro students in white schools, or to hold fast to the Deep South's traditional segregation pattern.

They are subject to intense pressure from the rival groups. Spearheading the "Keep the schools open" movement is HOPE, Inc. The initials stand for 'Help Our Public Education. On the opposite side is the States Rights Council, which generally asserts integration will destroy Southern civilization.

## *Some willing to talk*

CONVINCED THEY WILL NOT be identified by name or specific location, however, some teachers are willing to discuss the issues.

The teachers, like the other Georgians, are overwhelmingly against integration. But, also like other Georgians, they want to keep the schools open. Torn between these two strong urges, many are like the politician who said, "We must not have integration and we must keep the public schools."

No solution for doing both these things has been found. None is likely to be.

**Teachers in Georgia do not have the insecurity, in the event their school or schools close, faced by some in other states. The Georgia General Assembly has provided that they must be paid even if school doors close.**

The teachers, in many instances, do have arguments against racial mixing in the classrooms differing from those frequently advanced in the debates more apt to involve political considerations. That is true of both white and Negro teachers.

They agree that the closing of any school would be a tragedy.

One school executive sought to look into the future in his talk about possibilities. He was proud of great progress in such towns as his own, where fine plants now are available for both races.

"If the overwhelming majority of the voters are forced to accept this thing (integration)," he said, "who could believe they would continue to meet the increasing financial needs of the schools next year, or the next or 10 years from now?

**"The federal government may, or may not appropriate some money for school aid. But the bulk of the school money must result from state and county taxes. Already there has been talk of repealing local school taxes if racial mixing occurs."**

(Prince Edward County in Virginia did just that.)

Another, a man of long experience in the Georgia system, said he would welcome a poll by secret ballot of Negro teachers in the Georgia system. He was confident they would favor continued segregation.

"We have made great progress since 1950," he said sadly. "Now what we have worked for may be thrown away."

A NEGRO TEACHER, ALSO of long experience and a life-time resident of the general area where he now holds an administrative post, said he believed members of his race were better qualified to teach Negro children and white teachers were better qualified to teach white children.

**"We don't use the same methods," he said. "Our methods would not work with white children. And I'm sure the methods used by the white teachers would work no better with our children."**

The present Atlanta case, the only one now in federal courts in Georgia, makes no mention of transferring teachers as well as pupils.

That point was the subject of an objection to the Atlanta plan by the National Association for the Advancement of Colored People. Federal Judge Frank Hooper threw out the objection.

## 'Integration: Second Battle of Atlanta'

*Georgia is face-to-face with the actuality of admitting Negroes to Atlanta schools or closing all the schools in Georgia, Negro and white.*

*Because Georgia is a next door neighbor, because Alabama can expect to be next at any stage of this game that the NAACP is playing with Southern tradition, The Birmingham News sent its managing editor, Leroy A. Simms, to get the full background story, to talk to the actors in this drama, to move throughout Georgia and find just how householders, parents, Negro and white look upon this situation.*

*Will Georgia take the NAACP forced-integration program or will the state close down its educational system? Mr. Simms has some strong answers, answers he got from the people themselves. Follow him each day in his "Integration: Second Battle of Atlanta."*

### Unhappy with token mixing

THE NAACP HAS LED THE FIGHT in Georgia, as elsewhere in the South, for integrated schools. It is unhappy, and said so in Atlanta, with token integration under which a handful of Negro students attend a white school.

**Fear of what the NAACP's next move might be in Georgia is a frequent topic in discussions by teachers. One long-time classroom teacher said, "We would never have any problem here if we had to deal only with our local people.**

"Our fine new school is the pride of our Negro residents. They know that white people paid most of the taxes to build it. They know, too, that any effort to have mixed schools would bring great bitterness and could easily result in violence.

"Why can't we keep progressing on the road we are now on?"

...battle
Birmingham News

# ...anta...now... South makes real stand

Birmingham, Ala.
1-31-60.

BY LEROY SIMMS, News staff writer

...116,000 white and Negro school chil... the grim possibility of closed schools when ... 1960 rolls around. Segregation is the issue.

...is conceivable under previous court rulings, that ... the Atlanta system could mean statewide closings.

... hope some of this, but barring a political miracle ... there is nothing the bustling Georgia capital can ... about it.

A federal judge says the city must begin an integrated school plan in September.

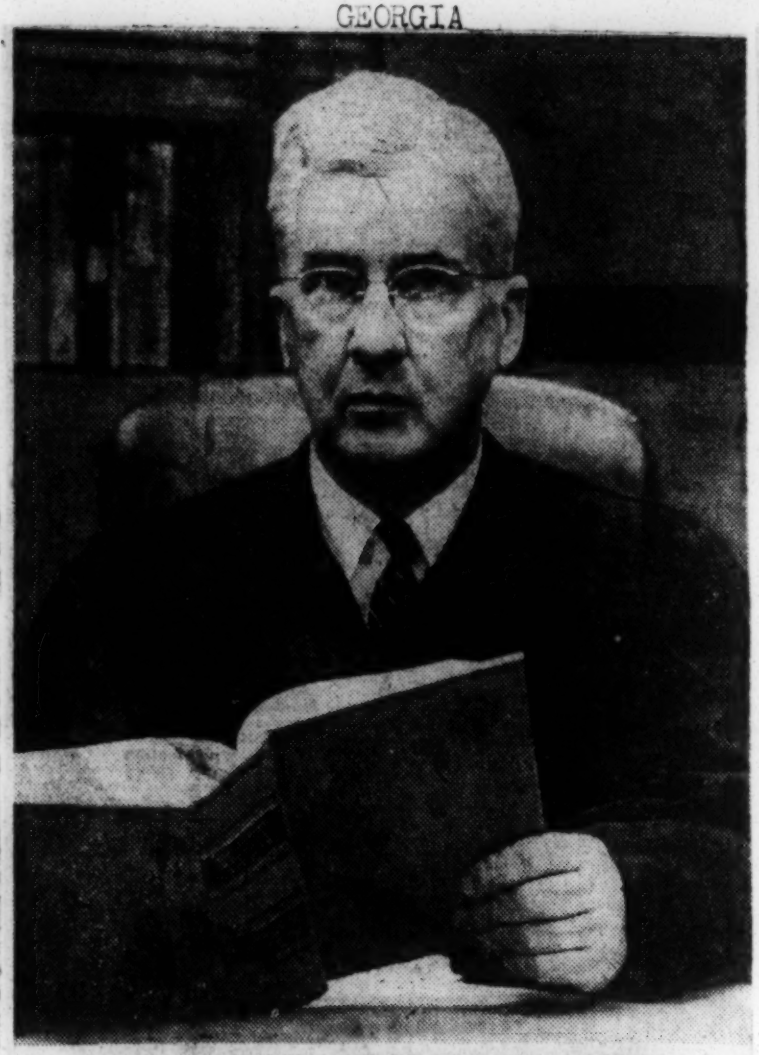
Georgia laws say no integrated schools may operate.

**Unless something gives, or some way of delay not now apparent is found, the outlook is that Atlantans view with the greatest concern. And the federal judge said that legal precedents have been established for closing all schools in a district, or in a state, if one is closed.**

In compliance with the court order, Atlanta school authorities ... an integration plan to allow Negroes to enroll this Fall in ... pair of senior high school. It contemplates adding one ... grade each year until the first grade is reached in 1971.

... the National Assn. for the Advancement of Colored ... has brought Atlanta to its greatest crisis since Sherman's ... razed and later ... the city in ruins. It is the ... first big showdown in ... South here of all-... in integration.

... almost ... sentiment for inte... But there is strong ... for accepting "token in-..." under which a few ... could be enrolled in ... schools. This step is pre-... to closing of the schools ... organizations as HOPE, ... has obtained many ... of signatures to peti... the Georgia General ... which holds the key ... next step. The ... Help ...



**U. S. DISTRICT JUDGE FRANK HOOPER**
**. . . They aren't mad at him**

## 'Integration: Second Battle of Atlanta'

Georgia is face-to-face with the actuality of admitting Negroes to Atlanta schools or closing all the schools in Georgia, Negro and white.

Because Georgia is a next door neighbor, because Alabama can expect to be next at any stage of this game that the NAACP is playing with Southern tradition, The Birmingham News sent its managing editor, Leroy A. Simms, to get the full background story, to talk to the actors in this drama, to move throughout Georgia and find just how householders, parents, teachers, political figures, Negro and white look upon this situation.

Will Georgia take the NAACP forced - integration program or will the state close down its educational system? Mr. Simms has some strong answers, answers he got from the people themselves. Follow him each day in his "Integration: Second Battle of Atlanta."

on basis other than race. The NAACP contends this is a subterfuge and would be used to slow down or virtually nullify integration.

Atlantans also say their Negro schools are good and that very few Negroes there would want to change. Opponents say there is "no such thing as a little integration" and point to repeated NAACP statements that "token integration" will not be accepted.

## The constitution, the governor, the laws

THE GEORGIA CONSTITUTION calls for segregated schools. The Georgia governor, Ernest Vandiver, was elected two years ago on a firm pledge that he would allow no integration. He has not changed that stand.

Georgia laws say the governor shall close any integrated school, plus the school from which the student or students breaking the segregation laws may be transferred.

In addition, teachers are prohibited from teaching an integrated class.

And state school funds cannot be given to any integrated schools.

**Any change in these laws must come from the Georgia General Assembly, now in session. Some members have come forward with various schemes to allow Atlantans a vote as to whether it wants token integration or to shut the school doors. But few capitol observers give such plans much chance of passage.**

Gov. Ernest Vandiver has promised to veto any bill in conflict with the Georgia constitutional edict that schools must be segregated.

Despite this stand some wishful thinkers are saying "Vandiver is too practical a man to let the schools close."

Others believe any switch in the governor's position would be political suicide and that Vandiver knows it.

## Atlanta board wants to handle own affairs

IN BRIEF, the Atlanta school board headed by A. C. Latimer wants a pupil placement act patterned after Alabama's and the right to handle its own affairs.

**Latimer says theirs is "the realistic approach."**

# State PTA For Individual School Views

By PHIL SMITH

The Georgia Congress of Parents and Teachers is discouraging its affiliates from speaking out as groups on the school integration issue, urging "individual" expressions of opinion instead.

The idea, says Mrs. J. R. Pinson Jr., Baconton, president of the group, is that blanket endorsements do not represent the opinion of the total membership of a given group.

In a letter to affiliates, the state PTA suggested that "individual members be encouraged to communicate with their elected officials, stating their own individual positions." The letter "discouraged" organized efforts.

* * *

**MRS. PINSON** said the letters were mailed to all Georgia PTA chapters in the interest of stopping "misrepresentation." The mailing was not a slap at petitioning, she said.

"It was our idea," she said, "that as a whole, people are not agreed on what they want. And anything that goes from the PTA is supposed to be from the entire membership."

With the onrush of petitioning, letter writing, and the general barnstorming of legislators with communications on the school issue, Mrs. Pinson said the PTA had received petitions for advice from all over the state that prompted the Jan. 21 letter.

Mrs. Pinson said the recommendation is aimed at stopping statements that purport to represent the total feeling of membership of any particular PTA group on an issue.

* * *

**THE MAILING** came shortly after the Council of Parents and Teachers of Atlanta sent a resolution to Gov. Vandiver urging he take measures "to insure continued operation of public schools." But, said Mrs. Pinson, the mailing of the "suggestions" was not prompted by that action.

The Atlanta statement said it represented 80 white schools with a membership of 75,000.

Mrs. Pinson said in almost any given local PTA group, members are apt to have divergent opinions on the school issue. A statement reading that a given PTA supported "this or that" would be misrepresentative, she said.

Mrs. F. W. Head, president of the Atlanta Council, said she agreed with Mrs. Pinson on the action.

* * *

**"WE COULD NOT** presume to dictate what method to use in keeping the schools open. We endorse the keep-open stand, but beyond keeping open, it's every man for himself," she said .

In December, the Atlanta group passed "a unanimous resolution" backing the Atlanta school board. Did that go beyond the keep-open cut-off? Except by inference one could draw, Mrs. Head said, she didn't think it did.

Mrs. Pinson said the letters were definitely not intended to "discredit" petitioning, letter writing, or any other "individual" action.

But, she said if a resolution is passed it should state how many persons voted for it.

* * *

**DR. SMITH SAID** policies, such as the DeKalb "non-exploitation" one, are left to local cchool boards.

Petitions, resolutions, John Hancocking and all, most agreed with keeping the schools open. Beyond that, apparently, everybody has their own opinion on "method."

# Senate Approves Study To Gauge Views on Schools

The Atlanta Constitution
Atlanta, Ga.
Thurs. 2-4-60.

## House Gets Amended Resolution

By GENE BRITTON

The Georgia Senate Wednesday unanimously passed the school study resolution setting up machinery for testing statewide sentiment on the integration crisis and for proposing solutions.

It added an amendment, however, to remove wording which held that U. S. District Judge Frank A. Hooper was bound by decisions of the U. S. Supreme Court to give his desegregation ruling in the Atlanta school case.

A committee amendment to increase membership on the proposed school study commission by two senators and four members of the House of Representatives was also adopted.

The resolution with its two Senate amendments was immediately sent back to the House for approval of the amendments. House consideration of the Senate modification is scheduled for Thursday.

Sen. John Greer of Lakeland told the Senate Wednesday that the resolution's author, Rep. [illegible] of Dougherty County, had assured him that House supporters of the measure would go along with the amendment to increase membership.

Although there could still be some argument in the House over the amendment regarding Judge Hooper, the Senate's approval of the resolution itself means that the commission is now created and may begin functioning.

Composed of legislators, state officials and presidents of statewide civic and professional organizations, the commission is charged with holding public hearings in each of the state's 10 congressional districts to find out basically whether Georgians would prefer some integration to the closing of public schools throughout the state.

The resolution calls for the commission to make a public report of its findings by May 1 and to make recommendations to the 1961 General Assembly.

During spirited oratory over the measure Wednesday, Sen. Douglas Carlisle of Macon said he would be opposed to the resolution as long as it contained wording which held that Judge Hooper was bound to rule as he did in the Atlanta school case because of integration rulings of the U.S. Supreme Court.

P.M.

### ONCE IN ASSEMBLY

The resolution noted that the federal jurist had once been a member of the Georgia General Assembly, had been a state judge and is "a friend of the South". It said, in effect, that he was compelled to rule out segregation in Atlanta schools because of the Supreme Court's 1954 desegregation ruling.

Sen. Carlisle said if he had been the federal district judge who heard the Atlanta case "I wouldn't be bound by their views (the Supreme Court's) on a case that originated in my court."

"I hate to see this General Assembly go on record as saying he (Judge Hooper) is bound when he is not," Carlisle said.

He and Sens. Greer and Robert Culpepper of Camilla offered the amendment to strike the words "bound by the Supreme Court on the subject" from the part of the resolution dealing with Judge Hooper. The Senate accepted it by a vote of 42-0.

Some senators said the work of the commission would have no effect on the state's official position of total segregation and that public sentiment on the question is already a known factor. One senator referred to the resolution as a "delaying action" in the state's defensive battle and said he would go along with it as such.

Sen. Charles Smith of St. Marys won scattered applause from the Senate chamber when he declared, "The people of Georgia are determined that we will have segregated schools in our state."

### CITES EXPENSE

He said he didn't see what good the commission study would do, "traveling over the state at the expense of the taxpayers."

"It will find that the people "want segregated schools—at all costs," he added.

"If this is just a delaying action and we need more time, then I stand by the resolution," he said. "But if it is to tell us what the people want, we already know that."

Sen. C. P. Watson urged approval of the resolution because:

"We have an opportunity here to say to the world that we are ready to do business on a matter that is more important than anything that has ever come before this Senate or ever will."

### 'REAL FEELING'

Sen. Greer said the commission is needed to determine "the real feeling from every crossroads in this state as well as the cities."

He said the author of the resolution "apparently understood that the people of Georgia want to continue school segregation just as long as they can by any possible legal means."

Meanwhile, Sen. Charlie Brown of Atlanta introduced in the upper house Wednesday a bill identical to one placed in the House earlier by the DeKalb County delegation to give parents a choice on the matter of school closing.

The bill provides that before the governor, under existing law, can close a public school to prevent integration, the registered voter parents who have children in the particular school must approve the closing.

### WANTS COPIES DISTRIBUTED

Sen. Brown said he was sure that the bill would not come to the floor of the Senate during the current session. But he said he wanted to get copies of it before his fellow senators so they can study it while the school commission is functioning. He said he hoped some of them, between now and May 1, would come to see the merits of the parents' choice plan.

# Georgia Must Choose Between Integration or Grants, School Study Unit Told

The Atlanta Constitution Atlanta, Ga.
Thurs. 2-18-60 P. 1

Staff Photo—Bill Young

STATE SCHOOL STUDY COMMISSION ORGANIZES IN ATLANTA TO PLAN SCHOOL HEARINGS

*Seated: Sen. H. E. Cleary, Rep. H. W. Parker, Sen. John W. Greer, Chairman John A. Sibley, Charles A. Cowan, Claud[illegible] Purcell and Robert O. Arnold. Standing, L-R: Rep. Render Hill, Sen. Wallace Jernigan, Samuel J. Boykin, J. W. Keyton, Rep. Howell Hollis, Rep. George B. Brooks, Zade Kenimer, J. Battle Hall and Harmon W. Caldwell*

## Sibley Warns of Grave Duty

By BRUCE GALPHIN

The School Study Commission was told by its new chairman Wednesday that Georgia must choose between state grants to pupils for private schooling or some degree of integration.

After being elected chairman at the group's organization meeting, Atlanta banker and attorney John Sibley made it clear those were the alternatives to be discussed.

**WARNS OF RESPONSIBILITY**

He also warned members that their grave responsibilities will force them to place commission work above all other responsibilities.

"You've got about six months' work to do in 60 days and if you have got anything more important to do than this, I want you to let me know now," he declared.

"We're here," he said bluntly at the outset, "because of the fact that the state laws are in conflict with the ruling of the Supreme Court of the United States . . . regardless of whether we like it or don't . . .

**DECISION DISTURBING**

"Their decision is not only disturbing because of the question of jurisprudence but also because of the practical problem of operating the schools," he continued.

"You're faced with the problem of whether or not . . . to abolish public education, or you're going to change some of your laws," Sibley declared.

"If you abolish education, you face a very turbulent situation. If the federal courts get hold of the education system . . . you also face a very turbulent situation."

The chairman said the main decision to be reached by the commission was whether to go to a system of state tuition grants for private schooling or to "maintain the present system, notwithstanding the possibility Atlanta schools and others . . . will be integrated."

"The people of Georgia," he continued, "are entitled to a fair, objective, unprejudiced finding."

At its organization meeting Thursday, the commission elected Sen. John Greer of Lakeland secretary, and Farm Bureau president John Duncan of Quitman, vice chairman.

Later in the day, former Assistant Atty. Gen. Freeman Leverett, now a private attorney in Hartwell, was chosen counsel for the group.

Outlining the legislative resolution under which the commission was formed, Sibley reminded the group that it is duty bound to conduct hearings in each congressional district.

He suggested that "it may be that the good will of the people, white and colored, very well can modify the evils of the (Supreme Court) decision."

Sibley said he would start work Thursday by meeting with attorneys and would call the full commission again early next week.

# School Study Chairman Tells People a Truth

At any time of decision candor is an essential ingredient. We, therefore, hail the statement of John A. Sibley, newly elected chairman of the State School Study Commission, that the Supreme Court decision of 1954 made segregated schools illegal.

One of the grievous handicaps in Georgia has been the deceit of the so-called rights' councils, some political leaders and others in positions of leadership who have told the people falsehoods and led them to believe they could continue segregated public schools without interruption.

Chairman Sibley said bluntly Georgia is faced with changing some of her laws or abolishing public schools. That statement is helpful.

The people, for the sake of their children and the future of this state, must be helped to understand that the extremists who slander and smear, who rant and abuse courts and individuals, have deceived and betrayed them.

The commission begins with a handicap. Some of the legislators said in urging it that such a state body would give the federal courts an excuse to delay any order for at least another year. "And, anyhow," said these cynical men, "we don't have to pay any attention to what the commission reports. We'll gain a year."

That is now, we know, the attitude of the commission. The men on it will do the best possible job. But it is well at this time, when candor is necessary, to let the people know that insinuations that the commission is just a device to stall the court have no validity.

The court is bound by the Constitution, not state politics. To say otherwise is to affront the court and the commission.

So we commend and salute the chairman and the study group now starting on what will be a tedious, thankless task. We are sure, being patriotic citizens, they will tell the people the truth and nothing but the truth. The shouting, yelling rallies of fanatics must not be permitted to destroy our future and the educational opportunities of a million Georgia children.

## SOUTH GEORGIA HEARING

# Negroes Join Call For Segregation

AMERICUS, Ga. (AP) — South Georgians, white and Negro, testified by the dozens Thursday that they want continued segregation of their schools.

Only one witness, a Negro minister, told the Georgia School Study Committee that he favored integrated schools.

Two white persons said they thought the people should get a chance to express their opinion by secret ballot. But most of 50 or more witnesses demanded continued separate schools even if they must give up their public education system.

The committee was set up by the 196 L0egislature to ask the opinions of citizens all over the state how to meet threatened school integration. Atlanta schools were ordered to integrate by a federal court. The court order set no definite date but gave the Legislature time to resolve the conflict between state segregation laws and the 1954 U.S. Supreme Court ruling on school segregation.

More than 700 persons from all over the 24-county 3rd Congressional District jammed a court room and flowed into corridors, where the proceedings were carried by loud speaker. John A Sibley, Atlanta banker, is conducting the hearings.

The Rev. W. R. Walters of Columbus, first of eight Negro witnesses, said "yes sir" when Sibley asked if he favored integrating the schools.

Most other Negroes favored continued segregation, but qualified their answers by asking for better school facilities.

Joseph Baldwin Sr., of Americus, superintendent of Sumter County's Negro school, said "we are asking continuance of the good will and present friendship between our races. We are happy."

Most white persons made it clear they wanted continued segregation all over the state at all costs.

"If we lose the fight in Atlanta, we've lost it all over Georgia," said Dr. C. P. Savage, physician and mayor of Montezuma.

Witnesses, including farmers, ministers, school officials and businessmen, gave little attention to a local option idea. This plan would permit each of the state's 159 counties decide the fate of its own schools.

## BOTH RACES TESTIFY

# South Georgians Urge Continued Segregation

AMERICUS, Ga., March 3 (AP)— South Georgians, white and Negro, testified, by the dozens today that they want continued segregation of their schools.

Only one witness, a Negro minister, told the Georgia School Study Committee that he favored integrated schools.

Two white persons said they thought the people should get a chance to express their opinion by secret ballot. But most of 50 or more witnesses demanded continued separate schools even if they must give up their public education system.

The committee was set up by the 1960 Legislature to ask the opinions of citizens all over the state how to meet threatened school integration. Atlanta schools were ordered to integrate by a federal court. The court order set no definite date but gave the Legislature time to resolve the conflict between state segregation laws and the 1954 U.S. Supreme Court ruling on school segregation.

More than 700 persons from all over the 24-county 3rd Congressional District jammed a courtroom and flowed into corridors, where the proceedings were carried by loud speaker. Chairman John Sibley, Atlanta banker, is conducting the hearings.

The Rev. W. R. Walters of Columbus, first of eight Negro witnesses, said "Yes, sir" when Sibley asked if he favored integrating the schools.

Most other Negroes favored continued segregation, but qualified their answers by asking for better school facilities.

Joseph Baldwin Sr. of Americus, superintendent of Sumter County's Negro school, said "We are asking continuance of the good will and present friendship between our races. We are happy.

Most white persons made it clear they wanted continued segregation all over the state at all costs.

"If we lose the fight in Atlanta, we've lost it all over Georgia," said Dr. C. P. Savage, physician and mayor of Montezuma.

Witnesses, including farmers, ministers, school officials and businessmen, gave little attention to a local opiton idea. This plan would permit each of the state's 159 counties to decide the fate of its own schools.

# Study Commission Does Yeoman's Job

The State School Study Commission's meeting in Cartersville yesterday pointed up once again the wide differences of opinion about what should be done to meet the state's impending school integration crisis.

Also demonstrated in the three hearings held to date is a fact which many already understand—the problem varies with localities, making it difficult to come up with one solution for the entire state.

Those who maintain that the only answer is to abandon public education everywhere do not take into account that some counties would be willing to make every attempt to work out the situation through pupil placement and local control. Some final answer along this line is the one hope of saving the schools in this conflict between state laws and federal authority.

In that connection, Commission Chairman John A. Sibley indicated yesterday a keen awareness of one highly important function of the commission itself. Discussing Judge Hooper's decision to delay ordering Atlanta's pupil placement plan into effect until after the commission completes its work on May 1, Mr. Sibley mentioned the yeoman's job the group is doing.

". . . It is the first time the people have had an opportunity to face the realities." This educational value of the commission is unquestionably important. Because of the ravings of extremists it has been almost impossible to get through to the people the seriousness of the decision which is upon them.

Mr. Sibley and the commission thus are to be commended for their efforts to lay the facts on the line and for keeping the hearings from being monopolized by the loud mouths who would prevent all other voices from being heard.

Judge Hooper acted with realism and fairness in granting more time. Those who would force the issue immediately would do themselves and the state a disservice.

The issue involves not one but many problems. The solution ultimately lies with the people themselves in the light of their own local conditions and capabilities.

# Study Group Slandered By Roy Harris' Boast

The Atlanta Constitution
Editorial Page
2-20-60

Segregationist leader Roy Harris at his rally in Marietta this week perhaps destroyed much of the usefulness of the newly created Georgia School Study Commission by remarks casting doubt upon its integrity.

The rally also shocked many persons who saw it turn into one at which anti-Semetic organizations and the KKK placed pornographic, obscene literature in the hands of adults and children.

At the time of its creation comments by some legislators about the study commission were to the effect that it was but a subterfuge to gain time. Now Mr. Harris is quoted in the Cobb County Times as saying: "The Georgia School Study Commission is going to be a fair and impartial jury—on our side."

Commenting on the Supreme Court, which has decreed against subterfuges created for purposes of delay, Mr. Harris further clouded the committee's work by saying: "We are not going to win our cases in the courts but we can use the courts to cause confusion and delay and appeal to the conscience of the people. . . . It will be necessary to arouse the people . . . so that it will be impossible to execute the Supreme Court decisions."

This newspaper has taken but one position—that we live by law or anarchy. We choose law. Mr. Harris' leadership, thus revealed, can lead the state only to violence, sorrow and the loss of its public school system. The study commission in effect has been stamped by Mr. Harris' boast as a stacked committee which will bring in a verdict "on our (Mr. Harris') side."

This we do not believe to be true. It is a shocking charge, impugning the integrity of every member of the commission.

It would be healthy for all concerned if the commission would say that Mr. Harris' brand is not on it, even though thoughtful persons know it is not.

The Cobb County Times also reported of Mr. Harris' meeting:

"Anti-Semitic literature also was circulated. Letters of a highly inflammatory nature were slipped into copies of literature placed on the table by the Cobb County White Citizens for Segregation, who originated last night's meeting. Some of the literature contained obscenities and profanities and was unknowingly picked up by many men, women and children as they took booklets on the table."

This latter quote is revealing and explains much although the leader's slur on the commission and the courts left little to be clarified.

# Talmadge Reoffers School Amendment

## Plan to Give States Control Is Revised to Meet Objections

Constitution Washington Bureau

WASHINGTON—Sen. Talmadge reintroduced in Congress Thursday a revised version of a constitutional amendment he proposed last year giving the states exclusive control of their public schools.

The Talmadge amendment, an attempt to get around the Supreme Court's 1954 school desegregation ruling, was rejected last year by a three-to-two vote in a Senate subcommittee.

There is little chance that Talmadge's revised version will get any further than it did last year.

But in it the Georgia senator has sought to meet objections to the 1959 proposal by critics in the subcommittee on constitutional amendments.

**RATIFICATION NEEDED**

If by some remote chance Talmadge could get it through Congress, the amendment would have to be ratified by three-fourths of the states.

Northern critics charged last year that his proposal would open the door to economic, religious and racial discrimination, and that it would nullify the "equal protection of the laws" guarantee in the Fourteenth Amendment.

They also charged it would result in all manner of lowered standards, capricious regulations and restricted educational opportunity.

**DENOUNCES ARGUMENTS**

Talmadge termed these arguments "specious" as he introduced his revised version in the Senate Wednesday.

But he said that he and his co-sponsors, Sens. Byrd and Robertson of Virginia, Johnston of South Carolina, Hill and Sparkman of Alabama, Eastland and Stennis of Mississippi, and Long of Louisiana have re-written it to meet the 1959 objections.

It now reads as follows:

*"Nothwithstanding any other provision of this Constitution, every state shall have exclusive control of its public schools, public educational institutions and public educational systems, whether operated by the state or by political subdivisions of the state or by instrumentalities or agencies of the state;*

*"Provided, however, that nothing contained in this article shall be construed to authorize any state to deny to any pupil because of race, color or national origin or religious belief the right to attend schools equal in respect to the quality and ability of the teachers, curriculum and physical facilities to those attended by other pupils attending schools in the same system."*

Nothing in the language of the new amendment, Talmade said, would relieve any state of its obligations under the Fourteenth Amendment to guarantee all citizens equal protection of the laws.

**DEFENDS PROPOSAL**

However, if adopted, Talmadge said, it would assure "for all time to come" that no state could be deprived of its constitutional right to operate its public schools "in accordance with the wishes of its citizens" within the lmits of the consttution.

"Ths is neither a segregation nor an integration measure," Talmadge told the Senate, but a proposal to "reassert affirmatively the time-honored right of local people to administer their schools" in accordance with local conditions, circumstances and attitudes.

If in the unlikely chance it were to be approved by a two-thirds xote of the House and Senate and ratified by three-fourths of the states, it would, however, permit states in the South and elsewhere to revert back to the old "separate but equal" doctrine outlawed by the Supreme Court in 1954.

**BASIC QUESTION INVOLVED**

"The basic question involved," Talmadge said, "is far more fundamental than the mere matter of who attends what school. It goes to the very heart of our concept of constitutional republican government; that is, the right of local self-determination.

"The bedrock of our form of government is, in the words of the Declaration of Independence, that it derives its 'just powers from the consent of the governed'," Talmadge added. "And whenever we in this country get away from that foundation of our freedom, as of that moment we will have ceased to be a nation in which the people govern themselves."

His amendment to date has not been considered on its merits, the junior senator from Georgia asserted.

Under his plan, Talmadge said, school patrons in each state would be free to determine whether they want segregation, integration or "some medium procedure" to best serve the interests of their children.

It would be a way out of the present dilemma, he said.

"On the one hand there is the accomplished fact of a Supreme Court edict while on the other hand the overwhelming majority of the people of the South will neither accept nor submit to the forced implementation of it.

"The only realistic, constitutional way by which the public schools in many areas of the South can be spared the fate of being crushed between these two millstones lies in recognizing that public schools and local institutions must be operated by local people on the state and local levels if they are to survive."

# Talmadge Offers Amendment For School Control

WASHINGTON, Jan. 28 (AP) — A constitutional amendment to spell out that the states should have exclusive control over public education was introduced again today by Sen. Herman E. Talmadge (D., Ga.).

It was a revised version of one the Georgian offered last year, reworded to remove objections. These objections, Talmadge contended today, were largely groundless.

Sen. John Sparkman (D., Ala.) contended such an amendment is needed "as a restatement and a reaffirmation of the constitution" following the supreme court's 1954 decision against racial segregation in the public schools.

Sparkman said the constitution is clear that states and local communities shall have control over their schools.

Sen. A. Willis Robertson (D., Va.) agreed. He said in a speech he was supporting the proposal to offset what he called "a flagrant misinterpretation" of the constitution by the high court.

**Javits Disagrees**

However, Sen. Jacob K. Javits (R., N.Y.), who has offered several civil rights bills this session, disagreed.

"The question of desegregation of public schools has been settled by the courts," he told a reporter, "and I cannot see how the constitutional process is going to be served by a constitutional amendment.

"We've got to go forward by implementing the supreme court decision," he said, adding that the administration's civil rights bill provides for assistance to school districts seeking to integrate.

Sen. Estes Kefauver (D., Tenn.), chairman of the Senate constitutional amendments subcommittee, was not in the chamber when Talmadge made his speech today. Kefauver told a reporter he had not seen the new proposal.

The Tennessee senator said he thought some of the provisions of the original amendment last year "carried out the wrong intentions."

Kefauver said he has no idea as to whether his subcommittee would hold hearings on the Talmadge proposal. The earlier one lost 3-2 in that subcommittee last year.

**Gives States Control**

Under the proposed amendment, every state would have exclusive control of its public schools, educational institutions and educational systems, whether operated by the state or by political subdivisions.

It also provides that nothing in the amendment shall be construed "to authorize any state to deny to any pupil because of race, color, national origin or religious belief the right to attend schools equal in respect to the quality and ability of the teachers, curriculum and physical facilities to those attended by other pupils attending schools in the same school system."

Besides Sparkman and Robertson, other senators co-sponsoring the proposal were Democratic Sens. Harry F. Byrd of Virginia; Olin D. Johnston of South Carolina, Lister Hill of Alabama; Russell Long of Louisiana; John Stennis and James O. Eastland of Mississippi.

# SCHOOL CHILDREN MADE VICTIMS OF RACE PREJUDICES

The New Crusader, Chicago, Ill.

(Open Letter to Dr. Bejamin C. Willis, Superintendent of Chicago's Schools) . . .

Negroes ask very little of Chicago authorities. These authorities boast of their 'mixed' schools of the equality of opportunity enjoyed by Negroes in the North. Actually until very recent years Negro children in the North enjoyed a more or less equal lack of opportunity. East-west school boundaries held Negro children in Negro schools. (North-south boundary lines would end this segregation.)

Schools on double shift were concentrated in Negro areas and Negro children were getting the equivalent of four days of tutelage each week, just four-fifths of the training they had a right to receive.

We shall pass lightly over such inequities as over-crowded classrooms, inadequate library facilities, inadequate physical education facilities, the astounding number of substitutes in Negro schools, the fact that Negro schools are regarded as "difficult" and religiously avoided by teachers who have influence or can afford to await assignment to white (easier) schools.

We cannot, however, tolerate the recent tendency on the part of the Board of Education to interpret our patience as acceptance of the Board's ggross indifference to the welfare of Negro children.

**Hit School Life**

Parents cannot tolerate the location of a school on a site ringed around by saloons and their loitering patrons, by hotels for transients, by the evidence of dope peddling and dope addiction to be seen in the hypodermic needles we pick up in our yards, by Chicago's second largest shopping center and two traffic arteries, one a boulevard without safety islands (47th Street and So. Parkway).

We are urging you to rescind the order to construct a school on the Forty-sixth St. site. We strongly suggest that there be no further attempt to locate schools for Negro children on sites which are a menace to life and limb, and, most importantly, to moral outlook.

**Part Time Protection**

Let some thought be given to the role of the school in part-time protection at least of the welfare of the Negro child. Let the location of this school be midway between traffic arteries with distance from main-traveled roads serving as a guaranty of safety and order.

We ask you sincerely to live up to the widely publicized announcement of your intention to "permit parents to study proposals, to solicit reactions of citizens, to make sure that the public is suitably informed" as to our plans.

We are asking for decent consideration of the welfare of our children. Such consideration will eliminate any and all sites like the one on 46th Street between South Parkway and Vincennes.

**In the light of what has been said above, we urge you to give careful consideration to the alternate sights suggested. They will eliminate the objectionable factors mentioned above.**

CELESTE WHITE
President of C. M. District
Association of Club Women

# NEGRO PARENTS PICKET SCHOOL

New Orleans Times Picayune

## Mothers Charge Racial Discrimination

Wed. 9-7-60

EAST ST. LOUIS, Ill. (AP)—Six Negro mothers picketed the Chenot elementary school in nearby Centreville Wednesday, protesting alleged racial discrimination in the classrooms.

The women carried signs which said, "Race discrimination here," and "We don't like the way our schools are run."

They claimed all but 10 of some 250 Negro children in the school were segregated by race and assigned only Negro teachers. The 10, they said, were allowed to attend classes with white children.

The school has a total enrollment of 499 pupils.

One of the mothers, Mrs. Louis McNiese, said segregation had been practiced in the school for three years despite protests from time to time to officials of Cahokia School District 187.

Robert Cartlett, superintendent of schools, said pupils were grouped into sections according to academic ability and, in some cases, by the geographic location of their homes. He said there were four sections of Negro youngsters each in the fifth and sixth grades, with one section of white pupils in each of the two grades.

He denied that the divisions were made on a basis of race alone.

# Bias Laid To School In Crestwood, Ill.

Birmingham World, Birmingham, Ala.

CRESTWOOD, Ill., — The NAACP Threw picket lines around three local schools here this week charging the local school board with using overcrowding as an excuse to segregate.

Dr. L. H. Holman, president of the Illinois State Conference of NAACP branches, said the Association will take the case to court if need be. Wed. 9-21-60

Students and adults, under Dr. Holman's direction, are picketing Horace Mann School, Robbins and Nathan Hale schools. The Association has said it would maintain picket lines until the case is won.

School officials say about 45 Negro pupils, who previously atttended the Hale school, were transferred to the Robbins school because of overcrowded conditions.

Dr. Holman charged that the Hale school is not overcrowded.

# Negro Mothers Picket School

CENTREVILLE, Ill.—(UPI)—Six Negro mothers of students at Chenot elementary school picketed the school in protest against alleged racial discrimination in the classrooms.

The women said the children were segregated by race in the class-rooms with the exception of 10 Negro students who were allowed to attend classes with white children.

White teachers were assigned to white classes and Negro teachers to Negro classes, they claimed.

Robert Cartlett, superintendent of schools, said the students were grouped in sections according to academic ability and, in some instances, by geographic locations of their homes.

# NEW CATHOLIC SCHOOL PUPIL RECORD LOOMS

Chicago Daily Tribune, Chicago, Ill.

## 348,000 Will Enroll Next Month

Fri. 8-12-60 p. 8

BY RICHARD PHILBRICK

Schools of the Chicago Roman Catholic archdiocese will enroll 348,000 pupils next month, Msgr. William E. McManus, archdiocesan school superintendent, announced Thursday.

Th enrollment in grade schools will be about 10,000 more than last year, and about 1,500 more will be enrolled in high schools.

To accommodate the increase in grade school pupils, 190 classrooms have been added to the school system. There are 426 grade schools in the archdiocese and 89 high schools. Twenty-five nuns and 50 lay teachers have been added to the teaching staff, Father McManus added.

**Schools Open Sept. 7**

Archdiocesan schools will open Sept. 7.

Despite the new classrooms, Father McManus said, there will be pupils on double shifts again this year. At the opening of schools last fall, there were 6,550 on two sessions a day school schedules.

One of the four new grade school buildings to be opened next month replaces Our Lady of the Angels school which was destroyed by fire Dec. 1, 1958. Classes of the St. Louis school will meet in a new building at 11 E. 117th st., and schools have been built for St. Patricia parish, Hickory Hills, and St. Alexander parish, Palos Heights.

**Progress on Sprinklers**

Schools in Chicago are well advanced in the archdiocesan program to comply with the automatic sprinkler ordinance adopted after the catastrophe at Our Lady of the Angels, which took 95 lives, Father McManus reported.

The installation of sprinkler systems has been completed in 39 schools; workmen are installing systems in 31 more; contracts for installations have been let for 38 schools; and contracts for installations are beiig negotiated for 72 other schools, he said.

By Dec. 31, all of the archdiocese's 203 schools that come under the Chicago sprinkler ordinance either will have sprinklers or contracts will have been let to install them, Father McManus promised.

**Scope of Ordinance**

The ordinance requires that all schools of ordinary construction and more than one story high must have sprinkler systems, beginning Jan. 1, 1961.

Despite the impending record enrollment, Father McManus said the ratio of pupils to teachers in archdiocesan schools will drop somewhat this fall. The ideal is one teacher for every 40 pupils, he commented, and the maximum is 50 pupils in a class. The ratio last year was about one teach to 44 pupils.

In addition to the two new grade schools, two high schools will begin classes in September—St. Joseph High school for boys and Immaculate Heart High school for girls in Westchester. Gordon Technical High school will move into a new building at Addison street and California avenue. Four grade schools and two high schools are being built.

# Orders 43 Students From All-White School

By GERALD D. BULLOCK

ROBBINS, Ill. —The good citizens of Robbins, Ill., a sturdy village on the edge of Chicago, held a meeting on Sept. 1. They got together, some 250 of them, in the auditorium of a local school to protest an age-old pattern — segregation of their young from those of other Americans.

There, in the brightly lighted hall they sat; grimly they listened while members of their elected school board tried to explain why — in this day of widespread desegregation effort — some 43 of their children should be arbitrarily ordered out of Nathan Hale, the school they have been attending, and sent against parental will into a school (Horace Man) that is now completely segregated, but could be easily integrated.

They listened and must have thought as I thought: how utterly blinding is the veil that crystalized, incrustated tradition can draw across the eyes of men . . . even well-meaning men . . . limiting their view and dulling their sensitivity to their responsbility as public servants. The superintendent of District 130 was present and he seemed a well-meaning man. The principal of the two schools under discussion, the one all—Negro and the other now lily-white, was present and he seemed a well-meaning man. So did the board president and the board members who designed to attend seem well-meaning men.

**DELICATE TOPIC**

In the beginning they sought to avoid discussion of the delicate topic they all knew to be the real cause of controversy, the central thought in every parent's mind. They spoke glibly of statistical matters, of "overcrowding," of anticipated enrollments, of their deep concern that numbers of children not interfere with the education of children. They led the audience into a bewildering labyrinth of figures hazy and unverifiable to the layman, hastily denying that there was "any color in those figures — only children."

The audience, colored citizens every one of them, weary long before they arrived, weary of subterfuge on the part of whites and trained in its detection, weary of segregation and its suffocating effects, quickly grew weary of these obvious rationalizations and began to ask sharp questions. One man wanted to know why white children living only a block or two away from Horace Mann could attend a school much further away. He was told that was because they had always attended the other school. The speaker did not seem to see the incongruity; Colored children forced from the school; white children permitted to avoid attendance at the colored school on the premises that they had never been enrolled there.

Another man poins out that his little daughter, when he attempted to enroll her on Tuesday, was told at the Nathan Hale school by a white former classmate that she was not suppose to be there. Evidence indicated that the knowledge of the colored children's banishment was well-known among the white youngsters, possibly even before the colored parents were informed. The school authorities admitted this might be so and expressed personal regrets.

**SHARP QUESTIONS**

Sharp questions were asked, too, about the arbitrary redrawing of boundary lines, following the ever-fluid lines of racial residency. Lamely, they admitted it might have been "better" had they published their plan before enacting it. They agreed to a proposal for a further investigation, for further consultation with a group chosen by the Negro parents to represent the colored community. A the same time the president of the board warned the audience that "you are a minority." Hinted that heavy white pressures could and probably would be brought to bear, disastrously, his tone suggested.

On a large map they pointed to the new all white community known as Playfield. The children of this community would need space at Nathan Hale, they said. No one expressed the hope that Playfield might become residentially integrated. No one explained why space must be made by clearing out the colored children. It was admitted that the board had not as yet collected any taxes from Playfield dwellers. Grimly a speaker suggested, again in a warning tone, that continued Negro resistance to the transfers would cause Playfield to form a pressure group of its own. It was evident that he knew whereof he spoke.

Plainly this board had been told, or had perceived through some clairvoyant sense, that the newcomers in Playfield wanted no part of an interracial school. Plainly too, the board had offered little or no resistance to this resurgent defiance of the U. S. government policy as delineated in the Supreme Court's 1954 decision, and as re-affirmed in countless case after case in the various courts of the land over the past six years. Plainly they were doing the bidding of intransigent segregationists, spoken or unspoken, when they transferred 43 Negro pupils from the integrated Hale school, leaving it firmly segregated.

**SAT IN**

I sat in wonderment and pondered the astigmatism that afflicts so large a part of our nation today. Do these men read the papers, listen to the radio, watch television? Do they hear the words of their political leaders, their spiritual leaders? Do they not know how tiny the jet age and advanced electronic communication have made the world of 1960? Can it be they do not realize that such seemingly "local" matters as extension or reinforcement of racial patterns of segregation are considered overwhelmingly significant abroad, where the press learns of such actions almost as soon as they occur? Do they fail to realize, or don't they care, that precisely because of such local "incidents" the U. S. is losing allies today on every continent? That is a world whose sovereign nations are already largely colored, we are losing friends among both colored and white?

Perhaps, I thought, these are well-meaning men, but their number multiplied ten thousand fold across this great land can so easily, and so vainly, lose us the last best hope of the free world.

14d(1) 1960

IOWA

# J. Gaines, Jr., Psychologist Appointed as Staff Member Of Webster County Schools

Fort Dodge, Ia.—The employment of Julius Wesley Gaines, Jr., as a public school psychologist in and for Webster county was announced jointly by the Webster county board of education and John Mecklenburg, county superintendent of schools. The position of public school psychologist was created and approved by the county board of education several months ago but only recently was Gaines employed to fill the position.

**First**

Gaines is the first Negro to be employed in school work in Webster county. He will report for duty Aug. 15, 1960.

At present a graduate student at the State University of Iowa, he comes to Webster county well qualified and highly recommended. His home is Staunton, Va., and he received his bachelor of arts degree from the Virginia State college at Petersburg, Va. In 1959 he received his master of arts degree in education from the State University of Iowa and this present school year he has been working on his Ph.D. at the University of Iowa.

**Elected to P.D.K.**

As a result of his work at the University of Iowa he has been elected to P.D.K., the honorary education society and at present holds a graduate assistantship.

He has been a member of the newspaper staff, the year book staff and the History club, at the University of Iowa. Most of his recent work at the university has been in the field of education and psychology with particular emphasis on psychological testing and mental retardation.

Gaines is 27 years old and is single. For a time he served as student and platoon leader at Ft. Benning, Ga., and was an archives assistant in Washington, D. C., for nearly two years.

**Duties**

The work of this new staff member will be in the department of special education under the direct supervision of the special education director. Much of his work will be the administration of individual psychological examinations to children in Webster county who are called to his attention by various types of referrals.

His work will include organizing classes for those in the county who are mentally retarded and to help plan the educational program for these classes.

The addition of this new staff member will bring to eight number of professional people employed in the county superintendent's Office. Other positions in the office include:

A director of special education, two speech therapists, coordinator of guidance activities, an elementary consultant, a teacher of trainable mentally retarded and the county superintendent of schools.

GAINES

# Ia. Group Aids 3 Schoolless Va. Students

IOWA CITY, Iowa — (UPI) — A group of local residents, mostly University of Iowa faculty members, have announced plans to bring three Negro students here from Prince Edward County, Va., to attend high school.

Public schools in Prince Edward County were closed last year, and will remain closed this year, in protest against a U. S. Supreme Court desegregation order. Private schools have been opened for white children, but some 1,700 Negro boys and girls have been denied an opportunity to attend school, a spokesman for the Iowa City Sponsors for Equal Education, said.

Working through the American Friends Service Committee, the local group has arranged for Otis Wiley and James Lee, both 17 and both in the eleventh grade, and James Brown, 16, a tenth grade student, to arrive Tuesday in time for the opening of the fall semester at the local high school here.

# Tells Of Life In All White Town

NEW YORK — A 29-year-old teacher's experiences as the first Negro to live and work in a small Iowa town were described today in an article in the new issue of Look magazine.

Trained as a speech and hearing therapist at the University of Iowa, Richard Adams of Baltimore had been turned down by three Iowa counties before being hired by Wright county.

"We needed a speech therapist for our county schools," said Claude W. Sankey, superintendent of Wright County schools in Clarion.

"Besides, our county is all-white and most of our children had never talked to a Negro. Now, they can know one."

Adams, according to the Look article, is heartened by his friendly reception in Clarion.

Working hard to make friends, he speaks before scores of clubs and civic groups, runs a public-speaking class for the Junior Chamber of Commerce, plays baseball with seventh-graders, performs on the bongo drums and sings calypso songs for teenagers.

Says superintendent Sankey: "His presence here has been good for the county and for our kids."

# Teacher First Negro To Live In Iowa Town

NEW YORK — A 29-year-old teacher's experiences as the first Negro to live and work in a small Iowa town were described in an article in the new issue of Look Magazine.

Trained as a speech and hearing therapist at the University of Iowa, Richard Adams of Baltimore had been turned down by three Iowa counties before being hired by Wright County.

"WE NEEDED a speech therapist for our county schools," said Claude W. Sankey, superintendent of Wright County schools in Clarion.

"Besides, our county is all-white, and most of our children had never talked to a Negro. Now, they can know one."

Adams, according to the Look article, is heartened by his friendly reception in Clarion.

WORKING hard to make friends, he speaks before scores of clubs and civic groups, runs a public-speaking class for the Junior Chamber of Commerce, plays baseball with seventh-graders,

# Sue Kansas School Board

## Integration Proceeding Too Slowly

Twenty-six parents and 15 minors of the Hawthorne-Northwest district of Kansas City, Kas., filed suit Sept. 15 in the United States district court, against the Kansas City, Kansas, Board of Education, seeking to enjoin the board from alleged discriminatory practices.

Atty. James P. Davis, who has been engaged by the Kansas City, Kas., branch of the National Association for the Advancement of Colored People, and Atty. Benjamin E. Franklin of the firm of Meeks, Gray, Franklin & Whyte, who represent the complainants, petitioned the court for a permanent injunction against all of the defendants.

**Defendants**

Listed as defendants are members of the Board of Education: Ralph Fulton, president; Roy Edwards, Jr., Joe Vaughn, Ralph Evans, Robert Fothergill and Lee C. Berns; F. L. Schlagle, superintendent; G. W. Corporon and William W. Boone, principals of Northwest and Northeast Junior high schools.

In bringing the action against the board, the complainants stated that on August 31, 1960, they requested and demanded that their children, who are of the Negro race, be admitted to the school nearest their residence; and have requested that the defendants "cease and desist from separating their children from the white children on the basis of race and color."

The complainants charge that the defendants "have refused and still refuse to admit complainants' children to the schools which are conveniently near their residence, while white children living next-door to some of the complainants are attending schools near their residence.

Also charged was the fact that these Negro students are forced to attend "the established and maintained separate schools in various parts of the city of Kansas City, Kansas."

The petition also stated that the defendants "have not put forth any serious effort to comply with the Supreme Court ruling in good faith;" and that they "have shown bad faith by merely simulating compliance by token acts of implementation here and there in some parts of the city of Kansas City, Kas."

**Surrender Power**

"Complainants state that in accordance with this continued determination of policy to maintain and to perpetuate segregated schools in Kansas City, Kas., on the basis of race and color, the defendants, the board of education, did unlawfully and illegally give up, relinquish, and surrender all of its power, authority and duty to divide the school district into sub-districts for the purpose of attendance of pupils, and delegate all of the same to F. L. Schlagle, superintendent of schools . . . "

"With such unlawfully delegated power and authority," Schlagle, "with full and actual knowledge and consent of "the board of education, but without notice of any kind to the patrons, parents and children to be affected thereby, did create attendance districts for Negro children only."

In the petition, the principal of Northwest Junior high school was charged with "excluding and prohibiting Negro children who completed the sixth grade at Hawthorne elementary school during the 1959-60 shcool term from attending the Northwest school "which is near and convenient for them; that they are residing in that school district, and in so doing the said principal and teachers of the Northwest Junior High school are carrying out the policy, plans and orders of the defendants, the Board of Education of the city of Kansas City, Kansas, and Schools' Superintendent Schlagle.

Also stated was the following: "That to allow complainants' children to enroll in the schools near their residences, particularly the Northwest Junior High school, was and is unlawful, malicious and arbitrary" on the part of the school authorities.

**Plaintiffs**

Plaintiffs in the suit are: Ernest Leon Downs and Mr. and Mrs. Wallace Downs; Preston E. Knox and Mr. and Mrs. Everett Knox; Shirley Phillips and Mr. and Mrs. Lee Phillips Sr.; Lorraine Jackson and Mr. and Mrs. LeFelt Jackson; George L. Boyd and Mr. Thomas A. Boyd; Willene Bill and Mrs. Luella Bill; Ronald Stephenson and Mrs. Creasdale Stephenson; Billy C. Gatson and Mr. and Mrs. Carlston Gatson.

Also, Mary Frances Carter, and Mr. and Mrs. John Pollard; Linda Stuart and Mr. and Mrs. Joseph Stuart; Dwight C. Hatchett and Mr. and Mrs. Earia Hatchett Sr.; Marvin Jackson and Mr. and Mrs. Andrew Jackson; Tommie Lee Benson and Mrs. Louise Benson; Carolyn Jean Miles and Mr. and Mrs. Jim Mils; Luther W. Peghee Jr., and Mr. and Mrs. Luther W. Peghee.

## The Negro Improved

Chicago Defender

# Carmichael Discusses School Segregation

Chicago, Ill.

Sat. 1-9-60

On Sept. 13, 1959, Dr. Omer Carmichael, superintendent of the Louisville public schools, appeared on a televised panel discussion in Atlanta. The other panelists for the program, which told the Louisville public school story, were Mrs. Fran Breeden, chairman of the Board of Directors of HOPE (Help Our Public Education); Dr. Willis Sutton, former superintendent of schools in Atlanta; Dr. Sam Webb, Emory university professor of psychology. The telecast was sponsored by the Georgia Council on Human Relations.

During the program, Mr. Carmichael was asked about the scholastic problems and results of desegregation in Louisville. His comments in reply were as follows:

QUESTION: Did you find that there was much difference in the ability of Negro children to receive and profit by instruction? Was that superior in the white? Was that difficult and did it bring up any problems of discipline?

MR. CARMICHAEL: Dr. Sutton, I see three or four questions in one there. You use "ability" and you use "achievement." Now let's distinguish between the two for a moment.

I'm no psychologist, no anthropologist, and I don't try to say, on my own knowledge, whether there is equality or inequality in native ability among races of people. I can merely say that the experts tell us there are no provable differences among the races in native capacities. Now, with respect to achievement, we know there are differences in achievement, and that's what we've got to work with. So, then, we never bothered ourselves with trying to answer to anybody's satisfaction whether the Negro child is less intelligent or more intelligent than the white child. We have just worked with them wherever they were.

**Now where are they? We have one of the most complete test records in Louisville. I went there in 1945 and the records were there for 10 or 15 years back, by schools and by race. We have continued the pattern and added some new tests. The average Negro child in the sixth grade in 1956 was about one-and-one half years behind the average white child in the sixth grade. At the eighth grade, the difference was about two years, and by the time you got to the twelfth grade, it was still greater.**

Now these are deplorable differences and they present problems of course. But you have a tremendous spread in a white group of whatever grade from your low capacity youngster to your high, or from your low achiever to your high achiever. You find in placing Negro and white children in the same classroom, when you put them grade for grade, that there is a wider spread of achievement.

QUESTION: Has that tended to become less and less through the years?

MR. CARMICHAEL: Well, you see, we've been desegregated for three years only. I can give some pretty good documentation for the first two years because one of our very able principals, on a sabbatical leave, wrote a doctor's thesis on what happens to pupil achievement in a good-size school system in the process of school desegregation.

He broke that study down; he tested some 30-odd thousand children in elementary schools — because this study was, I believe, limited only to the elementary level. He took the Negro in the all-Negro schools, the Negro when he is in a minority of from five to 15, or from 15 to 25 or from 25 and up. And this is the sort of summary that you could give: **The Negro improved. When we tested, we looked at the results the year before desegregation and then looked at them after the second year of desegregation and found that the Negro in all grades had improved — and by an amount that was statistically significant.**

What happened to the white children, you ask? They, too had improved, but by an amount not statistically significant. **In other words, it was a slight improvement for the whites; a substantial improvement for the Negroes. I can't answer with as great definiteness for the third year, because no such study has been made with the same completeness, but the impression of our teachers is that that pattern continues.**

QUESTION: Mr. Carmichael, these children who were studied in these tests, I assume, were just in the schools where they were mixed.

MR. CARMICHAEL: No, all white children, all Negro children; in other words, all 30-odd thousand children in the elementary grades of the system.

QUESTION: And Negro children in all-Negro schools also showed this improvement?

MR. CARMICHAEL: Negro children in the all-Negro schools also improved.

QUESTION: Well, how do you account for this?

MR. CARMICHAEL: That's a long story.

**When the question has been asked, I have said that the average Negro teacher is not as good as the average white teacher. This has disturbed our Negro teachers a great deal. I have sat down with the four hundred of them at one stage and for two hours answered questions that they asked about my public statements to that effect. They know that I am not unkind about it. I simply am being realistic. It's true. There isn't a shred of doubt in my mind about it. There are excellent Negro teachers, and there are excellent white teachers. But if you take the AVERAGE, the average Negro teacher is not as good as the average white teacher. Now, these Negro teachers, wherever they worked, said, "The Superintendent is saying we aren't as good as the white teachers, so let's show him." And they've worked as I've never seen teachers work. The result was that they've carried the Negro children in the all-Negro schools, right up with the white Negro children.**

QUESTION: The fact that the white children have improved, too, goes to indicate, does it not, that they have not been hurt by this?

MR. CARMICHAEL: The most frequently asked question in our public meetings was, "What will happen to the scholarship of the white children as you put Negro and white together?" Well, we think here is at least a partial answer — we pledged that no matter how hard we made it for the Negro children, we would not lower the standards for the System as a whole.

QUESTION: Do you feel this standard has been maintained?

MR. CARMICHAEL: Yes, sir. If anything, it has been improved.

QUESTION: Does this mean that you have more Negroes who have to repeat classes than previously?

MR. CARMICHAEL: It has resulted in higher non-promotion of Negro children. You put seven Negro children who have been classified as sixth grade in the Negro school in a group of 24 white children who are a year and a half ahead of them, and those Negro children are up against it terrifically. Now, we actually permitted some of them to transfer back to Negro schools early in the semester when they found they couldn't keep up. We dealt kindly and patiently with them. Sometimes when the parents would come and ask for transfer, the teacher would say, "Now Mary has not caught up yet, but if you will be patient, I believe Mary will." At other times we have said, "You're right, Mary needs to go back where the competition will not be so tough."

# Pupils Say Teacher Made Racial Slurs

The Louisville Defender

Louisville, Ky.

Parents of Negro pupils at the Stephen Foster Elementary School, 3920 Garland, became incensed over reports of derogatory racial remarks attributed to a white substitute teacher at the school.

The teacher, Miss A. Frank, reportedly told a 3rd grade class that "all Negroes were mean but Niggers". Parents said that the teacher had told the children previously that Negroes were ignorant.

The parents also stated that when questioned by Principal Paschal De Sanctis why she made the remarks, Miss Frank stated that she had just come from a Negro school where "the children were very bad".

### Remain Seated

Previous to her remarks in class, the children had told their parents that Miss Frank had them to remain in their seats while she let the white students get books and water.

One little girl, on a pretense of going to the toilet, reported the incident to the principal. De Sanctis could not be reached for comment.

William A. Cosloy, assistant superintendent of Louisville schools, said that he had not had a conference with the teacher, and decided that she would not be sent back to the [illegible] again. As to whether or [illegible] would be taken off the substitute rolls, Cosloy said, "I cannot say at this time what action the board will take".

# Judge Paul denies request of pupils

HARRISONBURG, Va. — Federal Judge John Paul denied the request for further relief for 11 colored pupils attending Floyd County's white high school.

The pupils contended they have been segregated within the school, in being assigned to the same homeroom. Judge Paul held that this was not discrimination.

# Combs Vows To Uphold Desegregation Ruling

Frankfort, Ky., March 6 (AP)—The 1954 Supreme Court school-desegregation decision is the law of the land and will receive continued support in Kentucky, Governor Combs told an audience at Kentucky State College Sunday.

The Governor spoke at the dedication of the college's new Paul G. Blazer Library.

The $225,125 structure was named in honor of the chairman of the board of Ashland Oil & Refining Company. Blazer has made many substantial gifts to Kentucky State and other educational institutions. It was his contribution that initiated the student loan fund at Kentucky State in 1950.

Combs told about 1,000 people at the dedication that he hoped a proposed bill to set up a commission on human rights in Kentucky would be passed by the Legislature.

A group of Ashland Oil officials, headed by Vice-President John Fred Williams and Blazer's son, Paul G. Blazer, Jr., flew here for the dedication.

The new library has shelf space for 65,000 volumes, double the size of the old library.

Tentative plans call for the old library to be used as offices for the college administration.

Books will be transferred to the new library Monday and it will open Tuesday.

When it opens the library will display a collection of books on Negroes, given to the college by P.W.L. Jones, Mount Sterling, former dean at Kentucky State.

# Negro-Student Gains Here Since '56 Cited

## Called Substantial By Educator Stallings, Who Hints Integration Also Aids Whites

By JEAN HOWERTON

At the end of three years of integration in Louisville public schools last year, Negro pupils had made "a very substantial gain" in achievement in various subjects and white pupils made "a very probable gain."

This is the conclusion of a report prepared by Dr. Frank H. Stallings, associate professor of education at the University of Louisville.

In November of 1956, the first year of integration here, the median scores of Louisville white pupils were considerably below national norms—eight months behind in English, 10 months in reading, 12 months in arithmetic reasoning, and three months in arithmetic computation.

Te Negro pupils' medians were eight to 14 months behind the whites.'

### Much Closer In '59

In 1959, with Negro and white pupils tested together, the medians were much closer to national norms.

In arithmetic reasoning they were only one month behind; in English and reading, two months, and in arithmetic computation, four months.

"When we consider how far the Negro pupils were behind the whites in 1956, this can only mean a very substantial gain for the Negro pupils and a very probable gain for the whites," Stallings writes.

For example, the study continues, in the year just before integration (1955-56) Negroes were five months behind whites in erading, 14 months behind on another battery of tests, and 13 months behind on still another set of tests.

### Given in 3 Grades

The tests were administered in the second, sixth, and eighth grades. Comparisons of scores a year before and four months to one year after integration showed for the whites:

Second-graders narrowed the gap between their scores and the national norms by 1.2 months, sixth-graders gained .9 of a month, and eighth-graders gained an average of two months.

Similar figures for Negro pupils showed a gain of three months at the second-grade level, five months at the sixth-grade level and an average gain of one month at the eighth-grade level. In reading in the eighth grade the gain was four months.

Stallings reports that a study of test results in Louisville over the past nine years failed to show another instance where such substantial and consistent gains were evident on three grade levels.

### 75 Interviews Conducted

To determine whether these changes were related to integration, 75 interviews were conducted among supervisors, principals, teachers, and students.

"These interviews pointed to the conclusion that integration had had an influence on the Negro pupil and on the Negro teacher in providing motivation," Stallings writes.

"There was less agreement as to the effect on the white teacher in an integrated school, but the majority of respondents felt that she too had experienced some increase in motivation. . . . Only one person of the 75 interviewed felt that integration had had a negative effect on the motivation of pupils or teachers."

*Stallings made this further conclusion:*

**The scholastic achievement of neither the white pupils nor the Negro pupils suffered during the initial period of integration, but instead there were substantial gains. The gains made by the Negro pupils were greater than those made by whites.**

### 'Offers Reassurance'

"Perhaps the safest generalization that can be drawn from the study is that for the period of time considered, integration need not adversely affect the scholastic achievement of white pupils and it can favorably affect that of the Negro pupils," Stallings writes.

"The study, therefore, offers reassurance to those who fear that the immediate effect of integration must automatically lower the level of achievement."

Stallings, 157 Wiltshire, a former principal of Hazelwood School, has a doctorate in educational administration from the University of Kentucky.

# Suit Filed To Prevent Knox Segregation

A federal suit has been filed in the Eastern District Court of Kentucky on behalf of Barbourville citzens to prevent the city's integrated school system from being segregated in its merger with the county Board of Education.

Louisville attorney James A. Crumlin stated that he filed the suit yesterday at London at the request of parents, both white and Negro, and other interested citizens. Crumlin explained that the city school board had made the proposal to merge with Knox County Schools.

Barbourville schools was one of the first districts in the state to integrate all pupils from grades 1-12. County schools have remained segregated with Negro pupils attending Rosenwald High School in Barbourville.

Under the present merger plan, Negro city pupils would return to the segregated Rosenwald school. Crumlin described the Rosenwald school as inadequate and in badly need of repair.

Residents of Barbourville have filed a taxpayer suit in the Knox Circuit court to temporary restrain the two systems from merging. Crumlin emphasized that this suit was only a temporary measure.

well as other nieces, nephews,

ning staff meeting which he stated his opposition to central renewal district planning which he stated would separate Negroes from rest of the city and reduce housing density in the central area working a hardship on Negroes in precuring decent housing.

3. His visit with co-worker Mrs. Dora Lewis to the office of Kaufman vice president Roy Gardner to discuss segregation at the store's tea room.

"I was not crusading," said Kaplan," and as I told Mr. Walter earlier I was not trying to embarass anyone." He added that before the above incidents, he was complimented upon his work by his superiors.

He said that Mrs. Lewis had made the appointment with Gardner earlier and later asked him to accompany her for moral support. Kaplan said that he agreed to do so because she had helped him get established in his new job and their friendship. "We didn't think anything of it," said Kaplan," it seemed the human thing to do."

### Inherent Evil

Kaplan stated that there was "an inherent evil in the situation" in the arbritary proceeding in which he was dismissed. He added that a person should feel free to talk with anyone he choose after working hours.

# Negroes Plan To Appeal Order To Delay Mixing

NEW ORLEANS (AP) — Attorneys for Negro children seeking an end to segregated schools here said they will ask the U.S. Supreme Court Thursday to order immediate integration.

Meanwhile, Louisiana's attorney general's office was scheduled to present documents to the high court asking for a stay and review of the entire eight-year-old integration case.

U.S. District Judge J. Skelly Wright had ordered first grade integration in New Orleans when schools open this fall.

However, Wright Tuesday granted a delay until Nov. 14 to give the school board time to come up with an integration plan.

Thurgood Marshall, chief attorney for the National Assn. for the Advancement of Colored People, failed Wednesday in an attempt to have the U.S. Fifth Circuit Court of Appeals set aside the 9½ week delay.

Chief Appelate Judge Richard T. Rives turned down the plea.

NAACP attorneys said they would continue Thursday before the U.S. Supreme Court in their effort to force compliance with the original integration order.

Atty. Gen. Jack Gremillion said in Baton Rouge his assistants were putting final touches on the state's appeal.

Asst. Atty. Gen. John E. Jackson was scheduled to fly the papers to Washington. The Supreme Court is not hearing oral arguments.

A special three-judge federal court Saturday ordered Gov. Jimmie Davis not to interfere with integration here and ruled his seizure of the New Oreans School Board was "illegal."

The tribunal also struck down the core of the state's arsenal of segregation laws and cited Gremillion for contempt for walking out of a hearing and calling the courtroom "den of iniquity."

Meanwhile, Gov. Davis said he is "glad" the school board has

JUDGE SKELLY WRIGHT
Grants Delay

been granted a delay. But he added it was no "enduring solution" to the problem.

Archbishop Joseph Francis Rummel was scheduled to confer with a board of eight clerical advisors on archdiocesan school board recommendations for dealing with Catholic school integration.

Archbishop Rummel had said Catholic schools will integrate "no later than" public schools.

The archdiosan board met Tuesday on the issue. But it made no announcement. A statement was expected soon from the archbishop.

## SCHOOL STAY WON BY NEW ORLEANS

### Judge Orders Integration Delayed Until Nov. 14

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Aug. 30—The New Orleans school board won a delay of ten weeks today in admitting Negro pupils to all white schools under Federal court order. The schools will presumably open next week on a segregated basis.

District Judge J. Skelly Wright, who issued the original decree on May 16 ordering the board to begin admitting Negro children to the first grade, granted the board's request for a delay.

The request was made yesterday in a meeting of the board and the judge. Desegregation was put off until Nov. 14, the beginning of the second quarter of the school year.

[In St. Louis, the Eighth Circuit Court of Appeals ruled that a plan advanced for the Dollarway School District in Arkansas did not constitute a "reasonable start" toward integration.]

The order was issued by Judge Wright after a two-hour conference in chambers this afternoon with counsel for the National Association for the Advancement of Colored People, who protested vigorously against any stay. The judge took note of the objections in his order.

The judge said he had been impressed with the "sincerity and good faith" of the four school board members who had visited him during the plea for an extension.

Their argument was that intervention during the last thirty days by state courts, which forbade the board to carry out Judge Wright's order, and by Gov. Jimmie H. Davis, who took over control of New Orleans schools on Aug. 18, had prevented them from formulating plans for the ordered integration.

The board's authority was restored only last Saturday in a series of orders by a three-member panel of Federal judges, of which Judge Wright was one, sweeping aside state efforts to block integration of New Orleans schools.

The state is scheduled to file an appeal with the United States Supreme Court tomorrow in Washington.

**Placement Plan Expected**

There was no public comment today on what plan of integration would most likely be attempted, but it was believed the board would offer a pupil placement program allowing the school administration to use a severe set of criteria, including aptitude, background, morals, health and home environment.

Such a placement law was enacted in Louisiana in 1958. It is patterned after one in Alabama that the United States Supreme Court has held meets the requirements of its school desegregation decrees of 1954.

Lloyd J. Rittiner, school board president, said it was possible the board might not have to use any plan at all.

"It depends on how many Negro children apply for admission to formerly all-white schools," he said. "If there are only four or five, there would be no need to institute any broad plan."

**Expects Only 100**

Dr. James F. Redmond, the school superintendent, has estimated that even if a simple rule of school location is the only criteria, not more than 100 Negro pupils will have to be admitted to the first grade of the city's all-white schools this fall.

The board expects an enrollments of 7,000 Negro children and 4,000 white children in the first grade this fall. That is in almost direct disproportion to the city's adult population. It is partly explained by the fact that the majority of the city's Negro children attend public schools while more than one-third of the white students attend parochial schools in this largely Roman Catholic City.

The school board was not represented at today's conference with Judge Wright. Gerard A. Rault, who had been serving as special counsel to the board on the segregation matter, resigned this morning. He protested that he had not been consulted before the suggested in yesterday's conference that it might adopt the pupil placement plan.

Mr. Rault said he was opposed to it and had so told the board and Judge Wright.

It was too late to name another lawyer for today's conference, although a substitute is to be selected. Since the board had explained its views fully to Judge Wright yesterday, it was not felt necessary for it to be represented today.

Thurgood Marshall, chief counsel for the N.A.A.C.P. arrived by plane from New York today to attend the conference. Also epresenting the N.A.A.C.P. were A. P. Tureaud and A. M. Trudeau Jr. Charles Richards represented a group of white parents who interceded in the case two weeks ago seeking a stay of the integration order of last May.

Mr. Tureaud speaking for the N.A.A.C.P., said:

"We have no faith in the stay accomplishing later anything that could not be accomplished now."

## PLEA OF NAACP TO DENY MIXING DELAY REFUSED

### Group to Appeal to U.S. Supreme Court

Attorneys for the National Association for the Advancement of Colored People failed Wednesday in an attempt to have the delay in the New Orleans public school integration date set aside.

Thurgood Marshall, New York, general counsel for the NAACP, and A. P. Tureaud, New Orleans attorney for the organization, asked Judge Richard T. Rives, chief judge of the United States fifth circuit court of appeals, to set aside Judge J. Skelly Wright's order which postponed the integration date from Sept. 8 to Nov. 14.

Judge Rives, according to Tureaud, was contacted at his home in Montgomery by telephone and he denied the request of the NAACP. No formal written motion of the action was filed.

**Tureaud said that Marshall will ask the United States supreme court to vacate Judge Wright's order Thursday when it hears the state of Louisiana's case in which the state seeks a stay in all moves to integrate the New Orleans public schools and a review of the entire segregation case.**

Tureaud notified the Orleans parish school board "in accordance with instructions received from the clerk of the supreme court, you are advised that any opposition to our application must be filed with the clerk by 9 a. m. Sept. 1."

**BOARD OPPOSES**

The school board immediately sent a telegram to the court "respectfully opposing" the NAACP request and said "time does not permit filing a formal opposition."

Lloyd Rittiner, school board president, said that he did not see how the board could possibly comply with the order by Sept. 8, the opening day of school.

**Meanwhile, in Baton Rouge, Gov. Jimmie H. Davis warned that the delay in integration of the New Orleans public schools did not "represent any enduring solution to the problem that faces the citizens of our state."**

He said that he believes veryone understands this.

**The governor said he was "glad there had been a delay granted in this most important matter, so that New Orleans parents can be temporarily relieved of their anxiety regarding the education of their children."**

Davis continued conferring Wednesday with his leaders on what strategy the administration should use to cope with the federal court order to integrate Orleans parish schools.

**SEGREGATED BASIS**

Visitors to the governor's office Wednesday included Dist. Atty. Leander H. Perez of Plaquemines and St. Bernard parishes who has called for uncompromising resistance to the court order.

There were indications that some Davis leaders favored a more moderate position and rumors of dissension continued to circulate about the capitol building.

**In the face of the demands by the NAACP that the schools be desegregated when they open on Sept. 8 and the demands by the state that all planning for integration cease, the school board Wednesday was going ahead with plans**

to open the schools Sept. 8 on a segregated basis.

Members of the board have mentioned use of the state pupil placement law in order to comply with the federal order. It sets out some 16 factors which may be considered in ruling on applications for transfers in order to limit the scope of integration.

**MORRISON COMMENDS**

Mayor deLesseps S. Morrison said Wednesday that he was "pleased" over the delay and congratulated the school board in achieving it.

"It's because of their good faith and desire to do a good job for the community that the delay was granted," he asserted. He repeated his stand that he believes the schools should be kept open even if there is limited integration.

"I favor maintaining the southern way of life and all steps should be taken to preserve it. When the court orders are finally acted upon, we should use our good judgement to minimize any trouble that might come up. I think we can probably minimize these with pupil placement, keeping mixing to the barest minimum," the mayor said.

# U. S. JUDGE WEIGHS INTEGRATION BID

New York N. Y. Times

## New Orleans School Board Asks More Time to Draw an Acceptable Program

Tues, 8-30-60

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Aug. 29—A Federal judge took under advisement today a request by the New Orleans School Board that he permit it more time to present an acceptable school integration plan. Members of the board expressed optimism that their request would be granted.

Judge J. Skelly Wright, to whom the plea was addressed, had ordered the board on May 16 to begin integration of New Orleans' 118 public schools in the fall term. His order covered only the first grade this year.

Board action on the order had been delayed by a series of legal actions brought by state officials to prevent them from carrying out the Federal decree.

Those were swept away Saturday by a series of injunctions handed down by a three-member Federal Court, of which Judge Wright was one. The panel enjoined the state court, Gov. Jimmie H. Davis or other state officials from interfering with the opening of the schools on an integrated basis.

**Unanimous Vote**

The request for a delay was made to Judge Wright shortly after noon today by four of the five members of the board after they had unanimously voted in an open meeting to make that request.

Lloyd J. Rittiner, presisdent of the board, said the judge had received their request sympathetically and he was optimistic that a stay would be granted.

Judge Wright consulted later in the day with A. P. Tureaud, local counsel fo rthe National Association for the Advancement of Colored People. The group has led the fight here for integration.

The judge then asked Mr. Tureaud, Gerald Rault, the school board's special counsel, and Charles Richards, counsel for a white parents group, which entered the case last week with its own plea for a stay, to meet with them in his chambers at 1 o'clock tomorrow afternoon.

"The judge told me he then would let me know what his decision was," Mr. Rittiner said.

**Davis Noncommital**

In Baton Rouge, Governor Davis was noncommital as to what additional action he might take or could take to prevent the integration of New Orleans schools.

He consulted during the day with his aides and with Emile Wagner Jr. fifth member of the New Orleans School Board and leading segregationist who has said he would rather see the New Orleans schools closed than to have the Negro and white children going to school together.

Legal observers said the Federal court's injunctions Saturday were so sweeping they did not see what the Governor now could do. The series of decrees handed them declared several legislative acts that sought to prevent integration unconstitutional. They also enjoined the Governor from taking "any other actions" intended to circumvent Judge Wright's integration order.

**Seek Wide Plan**

Mr. Rittiner and three members of the board expressed an intention to strive for a plan that would be acceptable to all New Orleans parents.

Louis J. Riecke Sr., one of the members, expressed what appeared to be the general sentiment when he said:

"Let us make our approach to the judge [for a stay] in good faith and without any mental reservations. Our main purpose now must be to keep the schools open."

The board then adopted a resolution commissioning its president to telephone the judge and seek and seek an appointment. It was immediately granted.

The school counsel, Mr. Rault, had told them in answer to questions that Governor Davis could not close the New Orleans schools to prevent integration without closing all Louisiana schools. He said he was not sure whether the Governor had the constitutional authority to do the latter.

Dr. James F. Redmond, the school superintendent, also told the board that it would be very difficult for him and his staff now to work out the details of even first grade integration without causing a great deal of confusion for parents and pupils.

**Year's Delay**

Mr. Rittiner said the board had asked for a year's delay but he doubted if Judge Wright would agree to that long a period. He indicated that the board was prepared to make do with less. It could, he said, put some simple plan into effect in six weeks.

---

**Court Stands Firm**

PHILADELPHIA, Aug. 29 (AP)—The United States Third Circuit Court of Appeals stood firm today on its decision of last month requiring faster integration of Delaware's public schools.

The court ruled on July 19—and it reaffirmed that judgment today in denying a petition for rehearing — that Delaware's grade-a-year plans was to slow and ordered that a modified plan be prepared "for full integration of all grades" by fall, 1961.

Delaware's Attorney General, Januar D. Bove Jr had sought to reopen the case, contending that the decision required immediate integration of 6,813 Negro children.

# UNMIXED SCHOOLS OPENED IN N. O.

Jackson Daily News Jackson, Miss.

NEW ORLEANS (AP)—Classes begin in New Orleans public schools today on the traditional segregated basis as school officials prepare for integration of the first grade in mid-November.

Federal Dist. Judge J. Skelly Wright, who drafted the desegregation plan, last May 16 ordered it put into effect this month. The Orleans Parish school board received an extension until Nov. 14 after telling the judge that until Aug. 27 it had been barred by state restrictions from taking any steps to comply with his order.

Of the approximately 94,000 school students, 7,000 are Negro first graders and 4,000 are white.

# Gremillion Case Off Until Oct. 7

Times-Picayune

Federal Judge Edwin F. Hunter Jr. Saturday postponed until Oct. 7 the hearing of Attorney General Jack P. F. Gremillion on a citation for criminal contempt of court.

Originally, the three-judge federal court which cited him on Aug. 27 had set the hearing date for Sept. 12. He was to appear to show cause why he should not be punished for referring to the court as "a kangaroo court" and "a den of iniquity."

Judge Hunter of Lake Charles was assigned to conduct the hearing after the three judges who cited Gremillion recused themselves in the matter.

In ordering the October date for the hearing, Judge Hunter said "It appears to my satisfaction that the public interest would best be served . . ." by the extended date.

# Hint Special Session To Block School Integration

The Louisiana Weekly New Orleans, La.

BATON ROUGE, La. — (Special to the Weekly) -- Segregation leaders may ask the Louisiana Legislature to call itself into special session Because Gov. Jimmie H. Davis is under federal court orders against interfering in the New Orleans school integration, was the opinion of a NAACP attorney here Monday.

In Baton Rouge, for a new step in a bus integration move, Atty. A. P. Tureaud, Louisiana chief counsel for the NAACP, made the statement in an interview.

A veteran of countless integration lawsuits, Tureaud commented he has no doubt such a session is in the works before the November 14 federal court deadline for New Orleans schools to desegregate first grades.

He added "We will fight any further delays in the Orleans school situation." He continued "We will bring to the federal court's attention any act by the governor in dealing with legislation on the issue.

Tureaud pointed out that should the Legislature itself act without the governor, enacting new laws in connection with the case without having to use the governor's signature, he would attempt to have each member of the Legislature enjoined individually from interfering with integration of New Orleans schools.

At the present, Governor Davis is under a federal court restraining order against further interference with a federal court ruling on Orleans Parish schools.

Gov. Davis last July tried to seize New Orleans schools under a new 1960 law. Unconfirmed reports reveal that a special session talk is in the air, but the governor repeatedly has insisted he knows nothing about it. Tuesday there were reports that more than 20 prominent white men were secretly meeting behind closed doors in Alexandria presumably to discuss the school integration issue. No details were available.

# Judge Wright Grants Board Delay Until Nov. 14 To Act

The Louisiana Weekly
New Orleans La
8/27, 9-3-60
1, 11

It appeared here early this week that New Orleans is destined to become another Little Rock where federal troops were called in to put school integration into effect in 1957, and to cut Gov. Orval Faubus down to size.

Three federal judges, ruling swiftly after a stormy court hearing, last week ordered Gov. Jimmie Davis not to interfere with public school integration in New Orleans.

## BULLETIN

Following a two day meeting between members of the School Board and attorneys for the plaintiffs in the school integration suits, Judge J. Skelly Wright granted the school board a ten-week delay before compliance with his ruling. Judge Wright deferred the integration of first graders in the New Orleans public schools until November 14. Meeting with the Judge Tuesday were plaintiffs counsel A. P. Tureaud, Thurgood Marshall and Marcel Trudeau and Charles E. Richards, attorney for 31 white parents who are in favor of keeping the schools open even if integrated. School Board Attorney Gerald Rault has resigned from the case. Attorney Tureaud opposed the delay while the other attorney agreed with the delay granted by Judge Wright.

OPPOSED INTEGRATION DELAY -- After conferring with Judge J. Skelly Wright on Tuesday on the current school integration case in which they vigorously opposed any delay in compliance, Attorneys Thurgood Marshall, A. P. Tureaud and A. M. Trudeau are shown shortly after leaving the Judge's chambers in the Federal Court Building. Despite the objections, Judge Wright granted the School Board a ten week delay to prepare for compliance of the May 16 order to integrate the first grades of the public schools. Inset at bottom left, is Atty. Charles E. Richards, attorney for 31 white parents being interviewed following the conference with Judge Wright. (Photo by Porter)

And they slapped a contempt of court citation on Louisiana Atty. Gen. Jack Gremillion, who stalked out in the midst of an earlier court session.

Huffing and pounding a table, Gremillion had roared the tribunal was a "den of iniquity" and a "kangaroo court." He thundered as he bolted outside: "The Negroes are running the country."

The special tribunal issued its decree in a temporary injunction prohibiting the state from blocking integration in this city of 620,000.

It ordered control of the schools back into the hands of the Orleans Parish (County) School Board and directed the board to comply with U. S. District Judge J. Skelly Wright's May 16 order to integrate the first grade this fall.

In Baton Rouge, the governor's office released the following statement from Davis:

"I have not been officially advised of any action of the court. However, I intend to prepare to use all available legal remedies."

Wright, U. S. District Judge, Herbert W. Christenberry, judge of the Fifth U. S. Court and Richard T. Rives, chief judge of the Fifth U. S. Court of Appeals, comprised the tribunal.

Rives, the presiding judge, is from Montgomery, Ala. Wright and Christenberry are natives of New Orleans.

The judges gave a copy of their contempt citation to a U. S. marshal to serve Gremillion, who said he would ask for a jury trial. A hearing on the contempt citation is set for September 12.

The judges, in their eight-paragraph temporary injunction degree, said Davis had "illegally seized control of public schools."

The NAACP was represented in the proceedings by Thurgood Marshall, national counsel; Wiley Branton, Little Rock attorney, and A. P. Tureaud, New Orleans counsel for the group.

Commenting on the decision of the federal judges on Saturday, August 26, 1960 who enjoined the Governor, the Attorney General, the Treasurer of the State of Louisiana and all of their subordinates, aides and agents from interfering with the Federal Court's order of May 16, 1960, directing that children enrolling in the first grade may enroll in the school nearest to them regardless whether the school was previously classified as a Negro or white elementary school, Arthur Chapital, president of the local NAACP Branch said:

"We are gratified by the decision rendered by the judiciary in the Orleans Parish School matter because it reaffirms the convictions of the framers of the constitution of the United States in that the check and balance of the functions of the Executive Branch, Legislative Branch and Judiciary of our government symbolizes the equilibrum of the Universe."

"We sincerely hope that men and women of christian beliefs, supporters of the ideals of democracy, American courage and of good will, will stand up and acclaim that the Negro-American is a human created liken unto the image of God and needs no special arrangements in this land of opportunity. Rather, that he be accorded the dignity to which every human is entitled and the fulfillment of the principles which are set forth in the preamble of the Constitution of the United States and the Declaration of Independence, namely; life, liberty and the pursuit of happiness."

Prior to the Court Hearing, ---The Students Alliance for Education (S.A.F.E.), an organization made up of about 50 New Orleans high school students, went to Baton Rouge last week to ask Gov. Jimmie Davis to keep New Orleans schools open this September--despite integration.

Pat Bass, 16-year-old Fortier High School senior-to-be, who is chairman of S. A. F. E., said the organization wired Governor Davis for an appointment to petition for the open schools. Unfortunately, Gov, Davis eluded the youngsters just as successfully as he did the Federal Marshalls. As the students were given the "Brush off", the students wanted to speak to the Governor in the interests of keeping the schools open.

# College Students Support US Court Ruling On Schools

The Louisiana Weekly
New Orleans La.
Sat., 9-3-60

The College Young Christian Students of the Area of New Orleans and the deep South, in a week-end conference, proposed and adopted a set of resolutions supporting the Federal Court decision Saturday on integration of schools. The resolution contained the following four points: "We, the college Young Christian Students of the area of New Orleans and the deep South, have reflected long and carefully on the problems which affect all of us in the present interracial crisis.

"We whole-heartedly endorse the values affirmed in the Federal Court decision reached August 27 in New Orleans on the question of first-grade integration of public schools.

"We recognize that true Christianity and Bigotry are throughly imcompatible, and that the coming months will demand the practice of justice and charity among the citizens of New Orleans.

"We urge everyone to consider, as a point of secondary but still great importance, the detrimental international effects of racial injustice in the United States."

College Y. C. S. is an international movement of Catholic students to meet campus and community needs and to develop Christian leadership. The week-end conference, held at the institute of social order at Loyola here, discussed international relations, education, race relations, and spiritual formation.

# INTEGRATION NEAR FOR NEW ORLEANS

## Question Now Seems to Be Only How Many Negroes Will Go to White Schools

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Sept. 3—Eight years ago six Negro children applied for admission to an all-white public school in this city. They were rejected.

Thursday in Washington the justices of the United States Supreme Court struck down what appeared to be the last legal obstacle that could be raised to the admission of Negroes.

That was a denial of an appeal by the State's Attorney General, Jack P. F. Gremillion, from an injunction issued Aug. 27 by a three-member Federal bench here against him and other state officers prohibiting them from interfering further with execution of a Federal court order that integration be started with the first grade this fall.

The injunction was so sweeping that most legal opinion here was that if the Supreme Court upheld it—as it now has—the last legal recourse to avoid compliance would have been taken.

### Check on Governor Seen

The interpretation was that the injunction would even prevent Gov. Jimmie H. Davis from closing the schools to prevent integration, as he had hinted he might do.

The ruling opens the doors of all 118 New Orleans elementary schools to admission of any qualified pupil without regard to his race. Sixty-five of those schools are now open only to white students. The fifty-three others are for Negroes, or other colored races, which includes the original Americans — the Indians.

One first major legal step in desegregation in New Orleans came in February, 1956, when Federal Judge J. Skelly Wright ordered the School Board to present an integration plan to him.

When none had been offered by July, 1959, he set a deadline of last March 1, and when that passed with no sign of action—it was deliberate inaction, members of the School Board acknowledged—Judge Wright on May 16 decreed his own plan.

That provided that integration be started in first-grade classes with the beginning of the school term next Thursday.

Tuesday, Judge Wright amended his original order to defer its effective date until Nov. 14, the beginning of the second term of the school year and coincidentally perhaps, six days after the Presidential election.

The inevitability of integration is believed to have been accepted by most responsible New Orleanians. In granting the school board's request for a delay of ten weeks on the ground that legal action had made an orderly transition impossible, Judge Wright said he believed they had approached him "in good faith."

Associated Press

**DEVISED SCHOOL PLAN: Federal Judge J. Skelly Wright, author of program for desegregation of the schools in New Orleans.**

The question now seems to be, not if, or when, but how many Negro children must be admitted to the formerly all-white schools. It is generally accepted that no white children will be registered in formerly all-Negro schools.

There are about 7,000 Negro children and 4,000 white children eligible for admission to the first-grade classes of the New Orleans public schools this fall.

New Orleans school officials say twenty-eight of the formerly all-white elementary schools are "vulnerable." As many as 100 Negro children may have to be admitted to those schools, they estimate.

Not even Negro leaders would say how many might be expected.

### White Withdrawals

How many white parents will withdraw their youngsters from schools where Negroes are admitted also remains a question. Several groups have talked of setting up private schools but nothing definite has been announced.

New Orleans parochial schools will offer no refuge, it is believed, for white students.

There are ninety parochial schools in the city. Last year they had approximately one-third of the city's 140,000 pupils.

The parochial schools have been operated on a segregated basis, too. However, Archbishop Joseph Francis Rummel has abolished segregation in Roman Catholic churches and declared it "morally wrong."

He announced some time ago that the city's parochial schools would be desegregated "not later than" the public schools. That policy was reaffirmed in substance Wednesday by the archdiocesan school board and it is expected that the parochial schools, like the public schools, will begin accepting Negro pupils in the first grade Nov. 14.

# OK Application Plan For School Transfers

New Orleans, La.

Wednesday, October 7, has been set as the D-Day for Negro first grade pupils seeking transfer to white public schools during the current school year, according to an approved plan of the Orleans Parish School Board Monday night.

The five member Orleans Parish School Board, under a federal court order to have a plan for desegregating public first grade by November 14, unanimously approved the plan.

It was announced that under the new plan, all first grade transfer applications for the 1960-61 school year must be received by Wednesday, October 7.

The new procedure outlined by the school board indicated no criteria on how applicants would be approved. The procedure simply outlined the method of applying. It was announced that no applications will be considered after October 7.

The following resolution was passed by the board:

All applications for permit (for grade one pupils) now on file in the district superintendents' offices will be returned by mail to the parent or guardian immediately.

Those parents or guardians of first grade children who desire to have their children attend a school other than the one located in the attendance district in which they live must mail a request direct to the superintendent of schools, Dr. James F. Redmond, 703 Carondelet Street.

Request forms are now available at: School Board Office, 703 Carondelet; District 1 office, 4211 So. Miro; District 2 office, 1812 Pauger.

It is very important that requests be submitted between Tuesday, September 27 and Friday, October 7, 1960. No first grade pupil will be allowed to transfer from one school to another during the 1960-61 school year, if written application is not submitted between September 27 and October 7, 1960.

The board pointed out that for all other grades, transfer applications should be filed with the district superintendents' offices. Permits for these classes will be issued, the board said, if applicants "can be accommodated within physical facilities and staff limitations."

Local NAACP officials urged Negro parents interested in having their children transfer to public schools nearest their homes to follow carefully the procedures outlined by the school board.

# Louisiana's Gov. Taking Over Schools

## Ducking Desegregation Is His Announced Aim

By GERALD MOSES
(United Press International)

BATO NROUGE, La. (UPI)—Gov. Jimmie H. Davis took ove the public schools of New Orleans Wednesday to prevent thei integration, in defiance of federal court orders.

U. S. District Judge J. Skelly Wright has ordered New Orleans schools to integrate at the first grade level next month.

Davis signed an executive order saying he is superseding the Orleans Parish School Board and taking over "the exclusive control, management and administration of the public schools formerly under its New Orleans school board's jurisdiction."

His executive order directed the schools to be opened September 7. He designated James M. Redmond, former superintendent of the New Orleans Public School District, as his agent to operate the schools on a segregated basis.

**LEGISLATURE SOLE AUTHORITY**

Attorney General Jack P. F. Gremillion said Davis' order was authorized by an act of the 1960 Legislature which makes the Legislature the sole authority in Louisiana for designating white and Negro schools.

The same act gives the Legislature sole authority to determine how fast Louisiana schools may be integrated.

New Orleans has the nation's third largest segregated school system. Houston, Tex., has the largest and Dallas, Tex., the second.

The law under which Davis took over the New Orleans schools stipulates that further lawsuits against the state and the Legislature must first give permission for the state to be sued.

Gremillion announced that Davis had taken over the school the same time U. S. Marshals arrived in Baton Rouge to serve Gremillion and Davis with supenas in a suit involving the New Orleans School District and integration.

In the suit, 31 New Orleans taxpayers asked federal court to prevent closure of the schools and to delay or suspend the order to integrate next month.

"The people of Louisiana are dead set on being left alone to run their schools as they see fit," Gremillion said. "This order is designed to let the Legislature and the Legislature alone come up with a plan for integration and to leave to them what is deliberate speed in desegregating schools."

He said a special session of the Legislature would be necessary before any plan of integration could be formed, and before the schools could be classified or reclassified according to race.

**JUDGE ORDERS PLAN**

The New Orleans School Board has been under integration orders since February, 1956, but has not obeyed on the ground it has no authority to integrate.

This was due to a state law which took such authority from school officials and put it in the hands of the Legislature.

The issue came to its present head on May 11. Judge Wright ordered the school board to come up with an integration plan by that date. When the school board showed up without a plan, Wright presented it with one.

He told the board to integrate the first grade the day school opens this year. He said Negro children will attend either the formerly all-white or formely all-Negro school of their choice nearest them.

# Davis Playing Hide-'N-Seek With Marshals

BATON ROUGE (AP)—Louisiana's battle to keep public schools segregated turned into a game of hide-and-seek today as Gov. Jimmie Davis eluded U.S. marshals for a third day.

"If they say he's not at home, he's not at home," U.S. Deputy Marshal Joseph Williams said.

"It's his domicile. We can't go breaking the door down."

Davis took over New Orleans schools Wednesday, surprising the state by the early timing and swiftness of the move. He acted under a new state law empowering him to assume control of schools to prevent integration.

The marshals sought to serve court papers notifying Davis of an Aug. 26 hearing for an injunction that strikes at the legality of the law under which Davis acted. The governor and Atty. Gen. Jack Gremillion have been named defendants in the suit.

The injunction, asked by attorneys for the National Assn. for the Advancement of Colored People and by 31 white parents, would prevent Davis from interfering with integration in this city of 620,000.

In the afternoon, a deputy U.S. marshal attempted to serve the personal secretary of Davis with papers summoning him to a school integration hearing.

But Bea Carrera said, "I did not accept the papers."

U.S. Dist. Judge J. Skelly Wright has ordered the school board to begin first-grade integration in September.

Meanwhile, Davis appointed New Orleans School Supt. James F. Redmond to act in his behalf in running the city schools. Redmond said he will meet with his staff Friday.

Davis ordered students register ing to supply by mail detailed information about themselves and their parents. He asked them to state what schools they would enter as a first and second choice, their address, and other questions including their race.

Some observers interpreted this as an indication Davis would invoke the state's pupil placement law. It was passed this year and is ready to go into effect if the governor invokes it.

The law allows a board to decide on school placement of pupils. It has been used successfully in Virginia and North Carolina and other Southern states to hold integration to token proportions.

# NAACP SCHOOL CASE DELAYED

## Hearing Put Off Due to Judge's Absence

A hearing set for Wednesday in federal court on a move to prevent the governor or the attorney general from taking any steps which would interfere with the ordered integration of the New Orleans public schools in September was postponed because of the absence from the city of Judge J. Skelley Wright.

Attorneys for the National Association for the Advancement of Colored People had set their motion for hearing at 10 a. m. Wednesday but Judge Wright is in New York hearing cases and is not scheduled to return to New Orleans until Aug 22.

Court attaches said that the case will probably be reset for hearing on Aug. 24. Wednesday is the regular day for hearing motions in federal court.

**THREE FORM OF RELIEF**

The NAACP motion seeks three forms of injunctive relief.

The first would enjoin the attorney general from proceeding further with a suit filed in civil district court two weeks ago and which resulted in the issurance of a preliminary injunction enjoining the school board from doing anything towards reclassifying the schools.

It also seeks to enjoin the attorney general from enforcing against the Orleans parish school board th state court injunction, and seeks to enjoin Gov. Jimmie H. Davis and Atty. Gen. Jack P. F. Gremillion from "taking any action, or issuing any order, or instituting any other proceedings" to prevent the board from complying with Judge Wright's order to integrate the schools in September, beginning with the first grade.

A. P. Tureaud, Jr., attorney for the NAACP, said Wednesday that he did not realize that Judge Wright would be out of the when he set the motion for hearing. Neither the school boar dnor the attorney general's office were at court Wednesday.

The motion also asks that the governor and the attorney general be made parties to the school integration litigation. The United States marshal's office reported Wednesday tht they have been unabl to make personal srvice upon Gov. Davis or Gremillion.

Tureaud said that service has been made upon the governor by mail.

# Davis Takes Over Schools In Orleans

BATON ROUGE, La., Aug. 17 (AP)—Gov. Jimmie H. Davis today took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

Federal District Judge J. Skelly Wright has ordered the Orleans Parish (county) School Board to integrate the first grade in September.

Davis acted under a 1960 legislative law which permits the governor to supersede parish school board to prevent racial integration of public schools.

The new state law permits the governor to take over "exclusive control, management and administration of public schools . . . on a racially segregated basis until such time as the legislature shall classify or reclassify schools to place into operation therein a plan of racial integration."

**Ordered Not To Comply**

A state court, holding that only the legislature can reclassify school racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis' action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The legislature, under the move, must ratify classification of schools, so a special session of the legislature may be required before the September school opening.

Davis' executive order apparently insured that for the time Orleans schools will be racially segregated.

The maneuver was the latest in a series designed to continue school segregation in Louisiana.

Davis also is authorized under another new legislative act to close all public schools in the state whenever one is integrated.

Earlier today, a three-judge Federal court, including Judge Wright, set Aug. 26 as the date for a hearing of Negro and white injunction suits seeking to prevent Davis from interfering with school integration.

**NAACP Suit**

The injunction was sought by attorneys for the National Association for the Advancement of Colored People and by 31 white parents of children enrolled in schools in New Orleans. The three-judge court consolidated the suits.

The white parents, in addition, also filed a suit today asking Wright to delay school integration "at least one year."

The parents said more time was needed to prepare a "good-faith plan" and to allow for community adjustment.

The three-judge court also ordered the U. S. Marshal to continue efforts to serve court papers on Davis and State Atty. Gen. Jack Gremillion.

The court told the marshal to "use any number of deputies which the service requires."

Deputy marshals went to the mansion last night and today without finding the governor.

Gremillion told newsmen in the governor's office that neither he nor Gov. Davis had been served with a summons in the Aug. 26 case.

"I think the State of Louisiana is dead set on being left alone," Gremillion said, "and allowed to run its schools like it sees fit."

# GREMILLION CITED FOR CONTEMPT

## Tribunal Returns New Orleans Schools to Board

NEW ORLEANS, Aug. 27 (AP) — A three-judge federal court Saturday cited Louisiana Atty. Gen. Jack Gremillion for contempt of court and returned the city's public schools to its school board.

Gremillion stormed from an integration hearing Friday, calling the court "a den of iniquity."

The court, in its action Saturday, issued an injunction preventing Gov. Jimmie H. Davis from interfering with the New Orleans School Board and its compliance with federally ordered integration.

Davis had taken over control of the school board under the state's new segregation laws. He renewed a pledge to keep the schools segregated despite a federal court order to integrate first grade classes when they open this fall.

Richard T. Rives, chief judge of the U.S. Fifth Circuit Court of Appeals, presided at the three-judge hearing. The other two judges were U.S. Dist. Judges J. Skelly Wright and Herbert W. Christenberry. All are Southerners.

# Louisiana May Lose U. S. ADC

**BATON ROUGE, La. — (UPI) — Gov. Jimmie H. Davis called the mothers of 23,000 children stricken from Louisiana's welfare rolls "a bunch of prostitutes," and scoffed at reports that some of the children were going hungry.**

"Do you know of any starving?" he asked a reporter. "The only reports I've heard of starving children were made by the Urban League and the NAACP."

The reporter replied that New Orleans city councilmen and state legislators had informed him of such cases.

Arthur S. Flemming, Secretary of Health, Education and Welfare, said in Washington federal aid may be withdrawn from Louisiana's Aid to Dependent Children program if the state continues to deprive public assistance to illegitimate children.

The state legislature approved new welfare laws this summer which forbid grants to parents of children living in common law marriage or if the mother had an illegitimate child since asking the state for aid.

Davis said the state should not be forced to "take money" from those deserving of welfare to help "a bunch of prostitutes . . . professional prostitutes."

His office issued a statement for Davis later, explaining welfare records showed "some of these people are no more than prostitutes." Still later, his office amended this: "Some of these are very fine people. And I guess everybody is entitled to a mistake," the second version quoted Davis.

Flemming said Louisiana's Aid to Dependent Children program was "under complete analysis" in Washington.

# JACKSON LAUDS STATE SCHOOLS

## Keep Segregation, Says La. Official

BATON ROUGE, La. (AP) — Shelby M. Jackson, state education superintendent, said Monday night, "If we are to advance our civilization we must keep our educational system as it is now, which is segregated."

Jackson told the Ingleside Methodist Men's Club, "We have a comprehensive program of education in Louisiana, and we do not have to take our hats off to any other nation in the world."

"We have education for the masses," he said. "We have the finest facilities for all races. And yet there is a nationwide movement to destroy our educational system, and it is here in Louisiana too."

"We have a total program of education designed to meet the needs of our youth at all levels," he said. "It should be kept free of 'outside influences' who offer only chaos and confusion."

**'BATTLE RAGES'**

The education superintendent said the heart of democracy is public education; and "if the forces that would destroy our schools become successful, they will have taken a big step forward in destroying our nation."

"If we are going to have democracy it is time to start practicing democracy," he said. "The fight we are engaged in is a battle for men's minds. It must be won by America if we are going to keep our freedom.

"If our public schools are torn down, we will lose not only our system of public education but our cherished freedoms and our American way of life."

Jackson said it is important to have a good program of education "so that all children can learn to be good citizens and also learn to provide the food, clothing and shelter necessary for a good living."

**'FINEST SYSTEM'**

Because of our education system, he said, the United States with only seven per cent of the world's population produces more than 50 per cent of the world's goods.

Since our civilization revolves around the home, he said, we should strengthen family life. Good homes, good churches and a good education bring opportunities for building a good community, he said.

He said Louisiana has built one of the finest educational systems in the country, and more than 90 per cent of Louisiana's teachers have a college degree.

# New Orleans Schools Now Under Davis

BATON ROUGE, La. (AP) — Gov. Jimmie H. Davis Wednesday took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

U.S. Dist. Judge J. Skelly Wright has ordered the Orleans Parish—county — School Board to integrate the first grade in September.

Davis acted under a 1960 legislative law which permits the governor to supersede parish school boards to prevent racial integration of public schools.

The new state law permits the governor to take over "exclusive control, management and administration of public school ... on a racially segregated basis until such time as the Legislature shall classify or reclassify schools to place into operation there in a plan of racial integration."

A state court, holding that only the legislature can reclassify a school racially, has ordered the New Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis's action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The Legislature, under the move, must ratify classification of schools, so a special session of the Legislature may be required before the September school opening.

Davis' executive order apparently insured that for the time New Orleans schools will be racially segregated.

The maneuver was the latest in a series designed to continue school segregation in Louisiana.

Davis also is authorized under another new legislative act to close all public schools in the state whenever one is integrated.

The governor's executive order set Sept. 7 for the opening of the schools and named Orleans Parish School Supt. James F. Redmond to operate the schools in Davis' behalf. The schools originally were scheduled to open Sept. 8.

Lloyd Rittiner, president of the school board, said he had no comment pending official notification of the action.

A state court, holding that only the Legislature can reclassify schools racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Governor Davis' action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

Governor Davis' executive order apparently insured that for the time Orleans schools will be racially segregated. He is authorized to close all public schools in the state whenever one is integrated.

Meanwhile in New Orleans, United States District Judge Wright Wednesday consolidated Negro and white injunction suits seeking to prevent Governor Davis from interfering with Federally-ordered school integration. The hearing is Aug. 23.

**Sought By NAACP**

The injunctions against Governor Davis were sought in separate suits by attorneys for the National Association for the Advancement of Colored people and by 31 white parents with children enrolled in New Orleans schools.

The injunction would prevent Governor Davis from taking over operation of the schools and then closing them to avoid integration when they open Sept. 8.

# Schools Seized In New Orleans

## Louisiana Governor Takes Over In Move To Avoid Integrated Classes

By The Associated Press

BATON ROUGE, Aug. 17.—Gov. Jimmie H. Davis Wednesday took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

Federal District Judge J. Skelly Wright has ordered the Orleans Parish (county) School Board to integrate the first grade in September.

Governor Davis acted under a 1960 legislative act which permits the Governor to supersede parish school boards to prevent racial integration of public schools.

**State Court At Variance**

## New Orleans parents await Nov. 14 deadline

NEW ORLEANS —Parents of colored children here seeking advantages for their children, are keeping their fingers crossed until Nov. 14, while keeping a wary eye on the state legislature.

On Sept. 1, the U.S. Supreme Court affirmed federal District Judge J. Skelly Wright's order delaying segregation of the first grade from Sept. 8 to Nov. 14.

Since 1952, every two years the state legislature has passed a "segregation package." As fast as the courts threw out one law, they came up with a new one. Attorney General Gremillion described this tactic as Louisiana's "secret weapon of legislate and litigate."

# Interfaith Council Asks Davis To Obey Court Order

Governor Jimmie H. Davis was asked to obey the federal court order to desegregate the first grade of the city's public schools in September in a resolution passed by the Inter-Faith Council last Sunday.

The Council in its resolution requested that schools continue to operate in compliance with the order of the U. S. Supreme Court, so that no children in the city would be "deprived of the privilege of an education."

"I have been asked repeatedly what the Negroes are saying about the school crisis," said Rev. W. Scott Chinn, president of the council.

He added, "This resolution should privide the answer to tha question."

Addressing the council meeting, Rev. T.W.Gaines, pastor of the St. Peter African Methodist Episcopal Church pointed out "closing of the schools would mean that racial prejudice is more important to the people of Louisiana than the national welfare."

Continuing Rev. Gaines said, "We should realize that our national image in the eyes of the people all over the world far exceeds our local or state interests."

"Incidents like the one that happened when Vice President Nixon went to South America will keep happening as long as the United States attempts to sell the world something we don't believe in ourselves."

According to Rev. L. Scott Chinn, editor of the Central Christian Advocate, "The question is now racial superiority or education for children, enlightenment or the Southern tradition."

Daniel Byrd, a member of the council asserted if the schools closed "it would be just like gift-wrapping one-fifth of the United States and handing it to Russia." He pointed out that the doctrine of interposition would not work to keep the state's schools open and segregated.

# Governor Takes School Control In New Orleans

BATON ROUGE, La. (AP) — Gov. Jimmie H. Davis Wednesday took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

U.S. Dist. Judge J. Skelly Wright has ordered the Orleans Parish—county — School Board to integrate the first grade in September.

Davis acted under a 1960 legislative law which permits the governor to supersede parish school boards to prevent racial integration of public schools.

The new state law permits the governor to take over "exclusive control, management and administration of public school ... on a racially segregated basis until such time as the Legislature shall classify or reclassify schools to place into operation there in a plan of racial integration."

A state court, holding that only the legislature can reclassify a school racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis's action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The Legislature, under the move, must ratify classification of schools, so a special session of the Legislature may be required before the September school opening.

Davis' executive order apparently insured that for the time New Orleans schools will be racially segregated.

The maneuver was the latest in a series designed to continue school segregation in Louisiana.

Davis also is authorized under another new legislative act to close all public schools in the state whenever one is integrated.

Earlier Wednesday a three-judge federal court, including Judge Wright, set Aug. 26 as the date for a hearing of Negro and white injunction suits seeking to prevent Davis from interfering with school integration.

# State Takes Over Orleans Schools

## Governor Davis Acts To Prevent Integration

By The Associated Press

Baton Rouge, La., Aug. 17. —Governor Jimmie H. Davis Wednesday took over administration of New Orleans public schools in an effort to prevent integration of the first grade next month.

Federal District Judge J. Skelly Wright has ordered the Orleans Parish (County) School Board to integrate the first grade in September.

Davis acted under a 1960 legislative law that permits the governor to supersede parish school boards to prevent racial integration of public schools.

The Governor's executive order set September 7 for the opening of the schools and named Orleans Parish School Superintendent James F. Redmond to operate the schools in Davis' behalf. The schools originally were scheduled to open September 8.

The new State law permits the governor to take over "exclusive control, management, and administration of public schools . . . on a racially segregated basis until such time as the Legislature shall classify or reclassify schools to place into operation therein a plan of racial integration."

A State court, holding that only the Legislature can reclassify schools racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis' action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The Legislature, under the move, must ratify classification of schools, so a special session of the Legislature may be required before the September school opening.

Davis' executive order apparently ensured that for the time being Orleans Parish schools will be segregated.

The maneuver was the latest in a series designed to continue school segregation in Louisiana.

Davis is also authorized under another new legislative act to close all public schools in the state whenever one is integrated.

Earlier Wednesday, a three-judge Federal Court, including Judge Wright, set August 26 as the date for a hearing of Negro and white injunction suits seeking to prevent Davis from interfering with school integration.

The injunction was sought by attorneys for the National Association for The Advancement of Colored People and by 31 white parents of children enrolled in schools in New Orleans. The three-judge court consolidated the suits.

### Whites Ask Year's Delay

The white parents, in addition, also filed a suit Wednesday, asking Wright to delay school integration "at least one year."

The parents said more time was needed to prepare a "good-faith plan" and to allow for community adjustment.

The three-judge court also ordered the United States marshal to continue efforts to serve court papers on Davis and State Attorney General Jack Gremillion.

### 'Set On Being Left Alone'

The court told the marshal to "use any number of deputies which the service requires."

Deputy marshals went to the mansion Tuesday night and Wednesday without finding the Governor.

Gremillion told newsmen in the governor's office that neither he nor Governor Davis had been served with a summons in the August 26 case.

"I think the State of Louisiana is dead set on being left alone and allowed to run its schools like it sees fit," Gremillion said.

## Segregated School Aims Stand—Davis

(The Times-Picayune Capital Bureau)

BATON ROUGE, La. — Gov. Jimmie H. Davis said Thursday afternoon that "nothing has happened" to alter determination of state officials to continue Orleans schools on a segregated basis.

The governor declined comment on action of the U. S. supreme court in turning down a move by the state to block a federal district court order enjoining the governor from interfering with integration efforts.

"Nothing has happened which has changed the determination of the public officials of the state of Louisiana to continue our system of public education on a basis of separate but equal facilities for both races," said Davis.

"I will continue to work closely with the staff of the attorney general's office, and with those who are assisting me in preparing a plan of action.

"I know the majority of our citizens are behind us and I hope that everyone will bear with us on this matter. It is my own belief and is the advice of the state's legal counsels, that there will be no useful purpose by publication of our plans."

# New Orleans Parents Seek Equal Rights

NEW ORLEANS, La.—Parents of Negro children in New Orleans, seeking equal educational advantages for their children, are keeping their fingers crossed until Nov. 14, while keeping a wary eye on the state legislature.

On Sept. 1 the U. S. Supreme Court affirmed federal District Judge J. Skelly Wright's order delaynig desegregation of the first grade from Sept. 8 to Nov. 14.

It is true the highest court in the land has spoken, but the parents have reason to be skeptical, for they have been in the courts for 8 long years. This latest ruling, in fact, lacked just three days of coming on the 8th anniversary of the filing of their original suit.

It was on Sept. 3, 1952 that NAACP attorney A. P. Tureaud, acting on behalf of 95 children, filed suit to desegregate New Orleans schools (Bush v. Orleans Parish School Board). That was two years before the U. S. Supreme Court outlawed segregation in public schools.

Since 1952 every two years the state legislature has passed a "segregation package." As the courts threw out one law, lost as the legislature came up with a new one. Attorney General Gremillion described this tactic as Louisiana's "secret weapon of legislate and litigate."

The latest act in this exchange drama occurred on Aug. 27 when the courts invalidated seven state statutes, including one under which the governor had taken over control of New Orleans schools, and another one giving the governor authority to close the public schools.

Four of the five members of the Orleans Parish School Board have stated they favor complying with the order to desegrate the first member. Nov. 14. The fifth member, Emile A. Wagner, jr., leading segregationist, has hinted that the legislature may meet in special session before Nov. 14 and address out of office the Orleans Parish School Board.

If this should happen, it is probable the final act in the drama will be for the federal courts to restrain the legislature, as it has the governor and attorney general (August 27) from interfering with the court's orders to desegregate.

# School Closing Efforts Rapped By Archbishop

NEW ORLEANS, La. (AP) — Archbishop Joseph Francis Rummel will tell Roman Catholics of the New Orleans archdiocese Sunday there is "danger of chaos and moral irresponsibility" in efforts to prevent federally ordered integration of public schools here.

A pastoral letter to be read to all 182 Catholic churches in the archdiocese described as "a flagrant action" the proposal to close all public schools "rather than integrate them even on a moderate installment basis."

U.S. Dist. Judge J. Skelly Wright last May 16 ordered public schools to integrate the first grade next month. Under state law, the governor is authorized to close every public school in the state to prevent any of them from being integrated.

Gov. Jimmie H. Davis took over control of the 100-million-dollar Orleans Parish—county — public school system last Wednesday. Davis said the schools would open Sept. 7 on the traditional segregated basis.

The three-judge federal court next Friday will hold a hearing on a motion by the National Assn. for the Advancement of Colored People to bar the state from interferring with the federal order of May 16. At the same time, the court will hear a suit by 31 white parents seeking to prevent closure of public schools. About 41,000 white pupils and 50,000 Negroes attend public schools.

The archbishop's letter was for the guidance of the Catholic parents of the 15,000 to 18,000 children in the public schools. About 46,250 white and Negro students are enrolled in the Catholic school system which is segregated. The archbishop recently said no definite date has been set for the integration of the Catholic schools.

# Bishop Hits Public School Closing Plan

NEW ORLEANS, La. (AP) — Archbishop Joseph Francis Rummel will tell Roman Catholics of the New Orleans archdiocese Sunday there is "danger of chaos and moral irresponsibility" in efforts to prevent federally ordered integration of public schools here.

A pastoral letter to be read to all 182 Catholic churches in the archdioecse described as "a flagrant action" the proposal to close all public schools "rather than ingegrate them even on a moderate installment basis."

U.S. Dist. Judge J. Skelly Wright last May 16 ordered public schools to integrate the first grade next month. Under state law, the governor is authorized to close every public school in the state to prevent any of them from being integrated.

**SCHOOL CONTROL**

Gov. Jimmie H. Davis took over control of the 100-million-dollar Orleans Parish—county — public school system last Wednesday. Davis said the schools would open Sept. 7 on the traditional segregated basis.

The three-judge federal court next Friday will hold a hearing on a motion by the National Assn. for the Advancement of Colored People to bar the state from interferring with the federal order of May 16. At the same time, the court will hear a suit by 31 white parents seeking to prevent closure of public schools. About 41,000 white pupils and 50,000 Negroes attend public schools.

The archbishop's letter was for the guidance of the Catholic parents of the 15,000 to 18,000 children in the public schools. About 46,250 white and Negro students are enrolled in the Catholic school system which is segregated. The archbishop recently said no definite date has been set for the integration of the Catholic schools.

# Archbishop Asks End of Segregation

NEW ORLEANS, Aug. 21 (UPI)—Thousands of Roman Catholics, many of them staunch segregationists, solemnly listened today to a letter from their Archbishop ordering a day of prayer in favor of desegregation of New Orleans public schools.

Archbishop Joseph Rummel's letter, which he ordered read in every Catholic Church in the city, urged compliance with a Federal Court order to desegregate the Orleans Parish (county) public schools.

Desegregationists hailed the letter as the "long-awaited" strong response from the Archbishop.

But segregationists suggested the Church here desegregate the Catholic schools in New Orleans before seeking mixed classes in public schools.

Emile Wagner, outspoken segregationist member of the Orleans Parish School Board and a Catholic, said "integration would be more improper and immoral than segregation" because of the great disparity in the number of whites and Negroes. The Negro-white ratio here is about 60-40.

Wagner said he did not think the Archbishop's firm stand would alter the school situation.

Archbishop Rummel's letter said the Catholic Church was, in principle, committed to the "racial integration of Catholic schools."

The Archbishop said last year the Catholic schools would be integrated as soon as the public schools were integrated, and indicated the reason for waiting was financial.

Samson (Skip) Alexander, a representative of the Committee for Racial Equality, hailed the letter.

"The Catholic contingent is the most dominant in the city, and the people look to the Catholics for order and leadership," Alexander said.

# Catholics Hit Discrimination In School Aid

North American Newspaper Alliance

WASHINGTON, Aug. 20 — An organized campaign by Catholic groups against federal aid to education — excluding parochial schools—will probably doom the aid proposals now before Congress, according to off-the-record interviews with congressional leaders.

Thousands of letters are being received by senators and representatives asking them to vote against the pending bills because Catholic schools will not be helped.

A survey was taken of Wisconsin legislators, among those said to be receiving the heaviest flood of mail on the issue from Catholics. Those answering verified the report.

* * *

**TWO EDUCATION** bills are pending. The House version authorizes aid for school construction and the Senate measure broadens this to include teachers' salaries. Neither would allocate funds to parochial or private schools.

A conference between members of the two bodies to seek a compromise measure was expected this month, but the concerted opposition may prevent such a move. Leaders of both parties are seeking to avoid "controversial" programs, and the Catholic attack may help to put aid to education in this category in an election year.

The current deluge of letters from Catholics is described as heavier than during the period earlier this year when the bills were under debate by the two Houses.

The letters and postcards began to arrive about two weeks ago. Nearly all the writers identify themselves as Catholics and ask that pending aid bills be killed because they "discriminate" against Catholic and other private schools.

Most of the early mail came from small towns.

* * *

**SEN. ALEXANDER WILEY** (R-Wis) has received almost 200 similar letters in the last two weeks. An asistant said: "They've been coming in at the rate of maybe 20 a day, with 12 or 15 of each batch mentioning religion."

He said the Knights of Columbus, a Catholic fraternal group, was named as the sponsor of some of the letters.

An aide in the office of Sen. William Proxmire (D-Wis) said the mail from Catholics has been "a little flurry" and that letters had been received from "a few priests" and from officers of the Knights of Columbus.

The campaign seems to cover the Midwest. A heavy mail from Catholic constituents against aid proposals is reported by the offices of Rep. Charles Hoeven (D-Iowa) and Rep. Ray Madden (D-Ind.).

# CHURCHES TAKE NEUTRAL STAND

## Federation Asks Individual Consideration

The board of the Greater New Orleans Federation of Churches Wednesday recommended that each member church give consideration to the school issue and urge constituents to express themselves according to their consciences.

The federation board unanimously approved a recommendation on the public school crisis from its executive committee. The recommendation follows:

"1. The cabinet, following the directive from the board, has held several meetings on the public school issue. Each meeting was attended by invited leaders who gave counsel to the cabinet.

"2. During many hours spent in conference and study it was found that a definite difference of opinion exists in the churches comprising the federation and that a statement supporting either the status quo or change would not be acceptable to all and might cause a serious division in the organization.

"3. Realizing that it would be necessary to secure the official action of the member congregations before a statement supporting any position could be made, and that a request for such action might in itself cause serious divisions among the churches, it has been decided to follow the principle which has been used by the federation in the past with regard to elections and civic issues. This has been the principle of urging the members of churches of the federation to give thoughtful and serious consideration to the issues involved and to urge all Christians to exercise their consciences.

"4. Therefore, following this according to the dictates of their American citizenship by voting principle, it is urged that each constituent of the member churches of the federation, as well as all other Christians in the community, study carefully the issues involved, and, according to the dictation of their consciences, let their voices be heard in a Christian spirit and in this, as in other matters facing our community and nation, avoid the attitude of complacency which threatens the liberty of all free men.

"5. Let us all, during these days, seek the wisdom of Almighty God for ourselves and for those in places of responsible leadership."

The federation's membership includes 13 churches including Assemblies of God, Baptis, Christian, Church of God, Episcopal, United Lutheran, American Lutheran, Methodist, Church of the Nazarene, Pentecostal, Presbyterian U.S., United Presbyterian U.S.A., United Church of Christ, Norwegian Seamen's church, Salvation Army, Society of Friends and Vieux Carre Vespers Group.

PASTORAL LETTER SET TODAY

# New Orleans Catholic Cleric Sees Peril in Closing Schools

NEW ORLEANS, Aug. 20 (AP)—Archbishop Joseph Francis Rummel will tell Roman Catholics of the New Orleans Archdiocese tomorrow there is "danger of chaos and moral irresponsibility" in efforts to prevent federally ordered integration of public schools here.

A pastoral letter to be read to all 182 Catholic churches in the archdiocese will describe as "a flagrant action" the proposal to close all public schools "rather than integrate them even on a moderate installment basis."

U.S. Dist. Judge J. Skelly Wright last May 16 ordered public schools to integrate the first grade next month. Under state law, the governor is authorized to close every public school in the state to prevent any of them from being integrated.

**Governor Takes Control**

Gov. Jimmie Davis took over control of the 100-million-dollar Orleans Parish (county) public school system last Wednesday. Davis said the schools will open Sept. 7 on the traditional segregated basis.

The three-judge federal court next Friday will hold a hearing on a motion by the National Assn. for the Advancement of Colored People to bar the state from interfering with the federal order of May 16. At the same time, the court will hear a suit by 31 white parents seeking to prevent closing of public schools. About 41,000 white pupils and 50,000 Negroes attend public schools.

The archbishop's letter is for the guidance of the parents of the 15,000 to 18,000 Catholic children in the public schools. About 46,250 white and Negro students are enrolled in the Catholic school system, which is segregated. The archbishop recently said no definite date has been set for the integration of the Catholic schools.

"The private school plan, like the 'close-our-school' plan, is no solution but dissolution, offers no constructive prospect of a 'dream come true' but only a dull gray dawn of illusion and frustration," the pastoral letter said. "Both plans have been tried and found wanting elsewhere."

The letter closed with a notice that Sunday will be designated as a day of prayer throughout the archdiocese for Catholics to pray for "an early solution of the race problem in our midst" and "a propitious response to the challenge for compliance with the ruling on the integration of our public systems of education."

During the last few weeks, groups of Protestant ministers have adopted resolutions urging preservation of the public school system here.

Federal marshals finally left Baton Rouge after four days of attempts to serve the governor with a notice of the Aug. 26 court hearing. A. P. Tureaud, Louisiana attorney for the NAACP, said personal service on Davis is not required.

Davis plans to make a statewide television appearance next Thursday night. The subject has not been announced but it is assumed he will discuss the school integration problem.

The governor said yesterday the time has come for a showdown between the federal and state government on the question of states' rights and that segregation is just one of the issues.

Mayor deLesseps Morrison of New Orleans said he thought the question of state sovereignty had been "settled in the Civil War."

Morrison also said the city's attorney, Alvin Liska, has grave doubts that Davis could keep the public schools open and segregated. Morrison recently asked Liska for a ruling on the school situation.

# Pray For School Solution, New Orleans Catholics Told

NEW ORLEANS (AP) — The more than 617,000 Roman Catholics in the New Orleans archdiocese were asked to pray Sunday for an early solution to the New Orleans public school integration problem.

A federal district court order last May 16 ordered the schools to desegregate the first grade beginning in September. Last week Gov. Jimmie Davis, acting under a 1960 statute, took over control of the local schools and ordered them opened Sept. 7, on a segregated basis.

In a personal letter read Sunday throughout the archdiocese, the archbishop discussed the problem for the guidance of Catholics with children in the public school system.

The archbishop, referring to resistance to the court order, said. "We cannot hope to prevent or eradicate present-day lawlessness in our teen-agers by procedures which flout the school integration decision."

In discussing proposals to close the public schools and replace them with private schools, the archbishop said: "Both plans have been tried and found wanting."

The archbishop asked Catholics to pray for "a propitious response to the challenge for compliance with the ruling on the integration of our public system of education."

A request for the day of prayer was sent to the archbishop last Thursday by a committee representing 2,300 Catholic Negroes.

The pastoral letter opened a week of activity on the school crisis.

# U.S. AND LOUISIANA CLASH ON SCHOOLS

## Court Orders, in Conflict on Race Issue, May Cause a Setback for Nixon

Special to The New York Times.

NEW ORLEANS, Aug. 13—The Eisenhower Administration may face a politically explosive problem here, that of the desegregation of public schools, only a month before the Presidential election.

Conflicting court orders have already set the stage for a clash between Federal and state authority. The threat has been made that Gov. Jimmie H. Davis will take over the schools and operate them on a segregated basis in defiance of the Federal Government.

Some residents believe that unless one side gives ground the Crescent City will be confronted with a crisis similar to the one that brought Federal troops to Little Rock, Ark., in 1957.

M. Hepburn Many, the United States Attorney here, had asserted that the Federal District Court "will use what force is necessary" to bring compliance with its desegregation order—"the greater the resistance, the greater the force."

**Showdown Ahead**

A showdown is scheduled Sept. 8, when New Orleans schools open. This is a month before Americans go to the polls to choose between Senator John F. Kennedy, the Democratic Presidential nominee, and Vice President Nixon, the Republican candidate.

Republicans hope to consolidate the gains of President Eisenhower, who carried Louisiana and four other Southern states in 1956. A repetition of the events of Little Rock, however, would probably cost Mr. Nixon any support that he had in the region.

The operation of public schools throughout Louisiana may also be at stake. One of the anti-integration laws enacted recently by the Legislature directs the Governor to take over the administration of any school that is ordered to desegregate. Another empowers him to close every classroom in the state if necessary to prevent whites and Negroes from attending school together.

The parochial schools of the New Orleans archdiocese of the Roman Catholic Church are not affected by the controversy. They had a record enrollment last year of 86,644 pupils, a gain of 3,527 over the number in the preceding term. Archbishop Joseph F. Rummel has said that the parochial schools will be desegregated "no later than" the public schools.

The issue was drawn here May 16. Judge J. Skelly Wright handed down a desegregation order then against the school board of Orleans Parish (County). He told the board to begin a grade-A-year desegregation plan at the first-grade level in September.

**Injunction Issued**

On July 29, however, Judge Oliver P. Carriere of the State Civil District Court issued an injunction forbidding the board to comply with Judge Wright's order. He acted at the request of the State Atttorney General, Jack P. F. Gremillion.

The National Association for the Advancement of Colored People then filed an action in Federal court. The group's action seeks to make Governor Davis and Mr. Gremillion parties to the case. It also asks Judge Wright to prevent Mr. Gremillion from proceeding with his effort in the state to block desegregation.

Sources high in legal circles contend that the association's pleadings do not provide the court with an adequate basis for cutting through the barrier thrown up by state officials.

Meanwhile, the school board is powerless to act, according to its president, Lloyd J. Rittiner.

"If we are able to do anything on Sept. 8," he said, it will be as a result of getting some relief from the courts."

**Dissenter on Board**

Four of the five board members favor acceptance of token desegregation if necessary to keep the schools running. The dissenter is Emile A. Wagner Jr., a Citizens Council leader.

Governor Davis and Mr. Gremillion have pledged that the schools will remain open and segregated. The Governor has rejected repeated requests to disclose how they will carry out the pledge.

The most recent request came yesterday from Mayor deLesseps S. Morrison of New Orleans. He noted that "the human and economic effects of closed public schools could have a heavy impact on the community well-being."

A number of persons, including Mr. Wagner, have said that the Governor plans to employ interposition. This theory holds that a state can interpose its sovereignty between Federal and local authority, thus preventing desegregation.

Many persons here seem to believe that Mr. Davis will succeed in providing free, segregated public classes for the city's 41,000 white and 50,000 Negro students. If he cannot, a majority of the white parents appear to be willing to close the public schools and replace them with a private system.

However, the number of advocates of segregation at any price is decreasing. And some of the city's key business leaders have quietly joined the effort to keep the schools open.

14d(1) 1960

LOUISIANA

# Time of Crisis in Public Education

*(An Editorial)*

In less than two weeks the people of New Orleans will face one of the most grave situations with which they have ever been confronted.

They will face the prospect of integrated public schools or closed public schools.

We have already stated that the choice between the two is a tragic one.

State and local officials, with skill and determination, have been fighting a legal battle to save segregation. They say they will achieve victory. If results of similar battles in other states are any indication, they are waging a valiant but losing fight.

The supreme court of the United States has taken a position from which there is no reasonable expectation that it may withdraw—even though this position means a violent reversal of a way of life for a substantial part of the nation.

Under the definite ruling by the court of last resort, separate but equal facilities for the races today violate the Constitution of the United States.

Libraries, parks and other public facilities, under this ruling, must be opened to all on an equal but NOT separate basis.

Legal efforts still are being made to avoid integration of the New Orleans public schools. We approve heartily the right to exhaust every legal avenue, for this, too, is a right given by the Constitution.

We regret that we do not expect these legal efforts to be successful for long.

What will it mean to close our public schools? To parents of thousands of children it will mean the end of their opportunity for education. We pride ourselves on being a nation where the child of an uneducated immigrant or the orphan can become a scientist, a professor, a governor or even president.

Public education is the heart of democracy and without public education a land of opportunity might easily become a land of want and misery. In many foreign lands education for the wealthy only has been the rule. The result has been a caste system that limits a shoemaker's son to being a shoemaker or a shepherd's son to being a shepherd.

Like it or not, the last word of the highest court in our country is that we must integrate our public schools or abandon them. This is a hard as well as a tragic choice; but we must face it.

Integration of the public schools, in our opinion, will damage them. Will this damage be worse than total destruction?

Integration of the public schools, we believe also, will bring harm to many pupils. Will this harm be worse than the loss which will be brought by closing of the schools to children whose parents cannot afford private education or for whom private education is not available?

We must answer these questions in the negative. There is logic to support the argument of those who contend that public education should not be abandoned without a trial.

To those who believe that expanded private schools or co-operative schools, with the pupils receiving financial assistance from the state, can fill the need, we extend our best wishes. For the present, the simple truth is that these schools are not organized in sufficient numbers to meet existing needs.

Private education should be an adjunct of public education and a substitute only if continued public education does not work.

* * *

Actually, a private and co-operative school plan would have far better chance to succeed if its responsibility were assumed gradually rather than abruptly. For such schools to be called on suddenly to care for 90,000 children obviously would create too great a strain.

We are told authoritatively that integration can be quite limited, perhaps a total of 25 Negro pupils in "white" schools. This can be so because of pupil placement, which the supreme court has upheld. It would mean that the Negro children selected would be those most nearly suitable by background and aptitude for "mixing."

We cannot predict, in good conscience, that limited integration will continue indefinitely. We do not believe that it will.

As long as pupil placement is soundly administered in the interest of all, we feel the sociological effects of integration may be minimized. This would be especially true if boys and girls were separated, which we consider vital for community tolerance.

What about September 7, 1960? Must we integrate then to save our public school system? We hope that a deferment can be obtained. After all, court battles still are being fought over legislation only a few months old, and the public only recently starting adjusting to the realities of the decision which it faces. Perhaps a suitable plan for integrating September, 1961, might be proposed and accepted. Such deferment has been granted in Atlanta. The matter is one addressed to the discretion of our federal courts. As the problem differs from community to community, so should its solution vary. In New Orleans this need not involve retreat from supreme court policy but rather a compliance with the mandate for "deliberate speed."

If an additional year can enable our community to tolerate integrated public education, the delay seems a reasonable price to pay for the social, cultural and economic well-being of the whole community.

Orderly, nonviolent adjustment to a revolutionary development could be the product of such deferral, which seems to us consistent with DELIBERATE speed.

## Enroll Children
## Gov. Davis Urges

### Sure Segregation Will Be Retained

BATON ROUGE, Aug. 25 (AP)—Gov. Jimmie H. Davis, claiming a mandate from the people to preserve segregation, tonight asked Louisiana parents to "regster their children this year in the schools where they belong."

"I am of the firm conviction," Davis said, "that our schools will continue to operate this term and that they will be segregated."

The speech came on the eve of a three-judge Federal Court's hearing of an injunction request to prevent Davis from interfering with court-ordered racial integration of New Orleans public schools at the first grade level.

Davis' talk was prepared for delivery at 8 p.m. on a statewide television broadcast.

**Will Meet Issue**

The Louisiana governor said he did not create the issue of states rights, which he said earlier included the public school segregation queston.

"But I will not sidestep it," Davis said. "It has fallen my lot to be chief of state at a time when we must test those principles upon which our republic was founded. I could not be expected to do otherwise."

The time has come, he said, for "our sovereign states to take a stand, even if the eleventh hour has long passed and it is nigh on the hour of twelve.

"Our United States Constitution provides," he said, "that all rights not specifically delegated to our Federal government are reserved to our sovereign states. Now comes those who say our Constitution means something else."

"I hope," he said, "that parents will register their children this year in the schools where they belong."

"Our educational system has been built up over a period of time and none of us want to see our gains wiped out overnight," he said, referring apparently to the authority to close all schools in the state to prevent integration.

"As a parent," he said, "I can sense just as acutely as you the dilemma we find ourselves in.

"I am working closely with the attorney general's office to keep our schools open and segregated. I believe we can all understand that it would serve no useful purpose to publish a complete program of our intentions.

"But," he said, "the events of the last week should be proof enough that we have a sound plan and that we will meet any crisis as it materializes."

Davis reminded that in his inaugural address he promised to preserve segregation and uphold state sovereignty without prejudice, without compromise and without violence.

"I now reaffirm that pledge," he said.

# Summons Served For Gov. Davis In Integration Case

BATON ROUGE, La., Aug. 18 (UPI)—A U. S. Deputy Marshal finally tired today of a three-day search for Gov. Jimmie Davis and served a summons for him to appear before a U. S. District Court in a New Orleans integration case upon his secretary.

Davis yesterday took over the public schools of New Orleans in an effort to prevent them from being integrated Sept. 7 under Federal Court orders.

The summons with which his secretary was served today orders him to appear as a defendant in a suit brought by a group of New Orleans taxpayers who want to make sure that he doesn't close the schools to prevent their integration.

**Let Papers Fall**

Mrs. Bea Carrera, the secretary, let the papers fall to the top of an informal table.

Later a workman entered and measured the top of the table, explaining he had been instructed to "put a glass top on it and screw it down."

The clerk of the U. S. Court in Baton Rouge said the summons could be legally served upon any legitimate representative of Davis.

"I'm afraid he's had it," the clerk said.

Mrs. Carrera—Davis could not be reached—disagreed with the U. S. Court clerk. She started backing away when Deputy Marshal Joseph Williams whipped the papers out of a briefcase.

"I have no authority to accept such papers for the Governor," she said, backing away.

"The deputy touched her on the shoulder and said, "you're served."

The hearing to which Davis was summoned is not connected with his order seizing the New Orleans public schools. It predated his action.

**Never Found Davis**

U. S. District Judge J. Skelly Wright ordered the U. S. marshal to use as many deputies as necessary to corner Davis, but they never did find him.

Davis slipped into his office yesterday to sign an executive order superceding the board of the Orleans Parish (county) school district, which has been ordered to integrate at the first grade level this Fall.

Louisiana segregationists praised Davis for taking control of the schools, but Lloyd J. Rittiner, president of the school board Davis replaced, said he did not believe the governor would be able to keep New Orleans schools open and segregated this Fall.

# *Keep Schools Open--Students*

## 13 from N.O. Give Petition to Davis Aid

By ROBERT WAGNER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La.—Thirteen New Orleans high school students Wednesday presented a petition to Chris Faser, the governor's aid, asking that Orleans parish schools remain open this fall.

aFser accepted the petition, signed by 24 students of four New Orleans high schools, on behalf of Gov. Jimmie H. Davis, who was absent from his office when the students arrived.

The governor earlier attended a meeting of the state sovereignty commission at the mansion. The meeting was closed, but there were reports of sharp dissension on certain issues.

Commission members would not comment on what happened at the lengthy meeting, which was concerned chiefly with the Orleans schools crisis.

**CLOSE SCHOOLS**

But at least two commission members were quoted later as saying they believed the governor would have to close Orleans parish schools if that were necessary to prevent them from being integrated.

There were unconfirmed reports the commission hired Lamar Loe, Tallulah, identified as an automobile dealer and cattleman, as an investigator.

Meanwhile, federal marshals reportedly were continuing their efforts to serve Gov. Davis, personally, with a subpena to appear at a 10 a. m. federal court hearing Friday on the Orleans integration issue.

A marshal reportedly visited the governor's office, but left after he was told the governor was not in. A marshal also reportedly was stationed near the mansion, waiting for the governor to appear.

The marshals have already attempted to present subpenas to secretaries in the governor's reception office, and to a state trooper at the mansion.

In each case, the subpena was permitted to drop to the floor. In the governor's office, they are preserved on the spot where they fell, under sheets of Pexiglass. The subpena at the Mansion doorway is covered with a piece of building concrete.

It was reliably reported the two secretaries and the state trooper have been asked to sign affidavits in the attorney general's office, attesting they did not accept the subpenas.

Federal authtorities have said the governor has been legally served. But the governor maintained he has not been served legally, with a subpena.

The three-judge federal hearing Friday will consider legal moves to enjoin the governor from enforcing a state law, which he used to supersede the Orleans school board, and maintain segregation.

The Davis administration has given every indication of waging a fight to the finish on the issue of Orleans school segregation. First-grade classes have been ordered integrated by the federal court.

But there were rumblings around the Capitol building Wednesday of possibly serious disagreement within the Davis administration. Some of these differences apparently appeared at the soverignty commission meeting.

**MOTHER ATTENDS**

The high school students, who appeared at the governor's office, arrived about 1 p. m. via bus from New Orleans. They took a taxi from the bus station to the Capitol.

Appearing with the group was Mrs. Pat Bass, whose son, Rick, a senior at Fortier High school, presented the petition to Faser in the governor's inner office.

Rick Bass said the delegation represented the sentiments of about 50 student members of "students' Alliance for Education." He said they took no position for or against segregation. "We want open schools," he said.

Faser, smiling, asked Bass, "who sponsors your group?"

"We sponsor ourselves," replied Bass.

"What organization out of New York asked you to come here today?"

"No organization," said Bass. "How much are they paying you all?" said Faser, still smiling.

"No one is paying us anything," said aBss, unsmilingly.

The questions miffed some of the students. A girl student muttered to her neighbor, "I wonder — is that a joke, or what?"

"The governor certainly appreciates your being here," said Faser. "Is there anything else? Anybody else likes to be heard?"

The smallest student in the group, a girl, piped up, "we just want to go to school—that's all."

**WILL HAVE SCHOOLS**

"I'm sure we're going to have schools for you, honey," said Faser.

"No one believes in education more than Gov. Davis. He certainly appreciates you coming up here. He would like to hear from others—and see what they have to say."

Another student asked, "How can he keep the schools open and segregated?"

"The governor has taken control of the schools," explained Faser.

"I know, but the federal government is not going to allow that," said the girl.

"Well, we'll cross that bridge when we come to it," said Faser. "The governor has given this a lot of serious thought. He has spent a lot of sleepless nights."

"It seems kind of silly not to plan ahead," said the girl.

"The governor has been working night and day on this particular situation," said Faser. "You're going to have schools; don't you worry about that."

Another Davis aid asked the students if they were "for integration." Some of the students said they were interested only in keeping schools open, and if that meant some integration, they would accept it.

"There's nothing finer than you boys and girls," said Faser, as the students filed out of the office. "We're glad to hear the governor's on our side," said one student.

Mrs. Bass said her son, Rick, had originated the idea of organizing the students. "He felt that he wanted to finish his senior year, and that students were doing nothing to keep schools open," she said.

Their petition stated as follows:

"We the undersigned students in the public schools of New Orleans, will be among the men and women on whom the future depends. It will be our responsibility, as well as the responsibility of several thousands more like us, to build our city, our state and our nation in the future.

**SEE RESPONSIBILITY**

"We consider this a grave and serious responsibility. Believing as we do in the principles of American Democracy, we are fully ready to accept these responsibilities along with thousands of other students throughout the land. But we know also that we can not help carry on this struggle without the education we have been receiving through our public education system.

"We know, too, that America has been founded on a spirit of free enterprise. This means that after our schooling is completed, we will have to compete with others in this country for our livelihoods and for those of our families. We know that we can not compete effectively, unless we have the best education possible. We further realize that appreciation of the finer things of life—and the appreciation of freedom—can only be achieved if we study and educate ourselves under the best and most effective system of public schools.

"We, therefore, urgently plead with you to keep our public schools open. As the people who will be most affected by the closing of public schools, we feel we should speak out now, and respectfully request that you and other elected oficials keep our public schools open to us and thousands of other young people in our area."

The petition was signed by 24 high school students.

The students who presented the petition were Kit Smither, Sandra Forman, Millard Spiller, Myron Miller, Rick Bass, Debra Sternberg, Ruth Kloepfer, John Gaunt, Chris Smither, Anne Shiff, Donald Bass, Fred Sand and Tommy Sand.

## Needless litigation

The State of Louisiana is appealing to the United States Supreme Court a ruling by a three-judge Federal District court, refusing it the right to demand the names of NAACP members or contributors.

Among other grounds, Louisiana contends that the District court erred "in denying the state the right to protect itself against associations dominated and controlled by Communist or subversive leadership."

If we ever heard of needless litigation, this is certainly it.

For one thing, Louisiana's appeal is based on a libelous premise in arguing that the NAACP is "dominated and controlled by Communist or subversive leadership."

This old canard has been exposed so often as being patently false, the nation's highest tribunal is not likely to dignify it by accepting it as having any validity.

And secondly, the United States Supreme Court already has addressed itself not once, but twice to the question of a state's compelling the NAACP to disclose its members or contributors.

It ruled on this issue in an Arkansas case and it repeated its ruling in a suit brought by Alabama. On both occasions it unanimously held that the Constitution protected an organization such as the NAACP from exposing its members to the hostile view of bitter - end segregationists.

We do not believe the court will reverse itself for Louisiana and neither does Louisiana.

# Louisiana's Attorney General Bolts U. S. Integration Hearing

## Scores the Court Weighing New Orleans School Case as a 'Den of Iniquity'

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Aug. 26—Louisiana's Attorney General walked angrily out of a Federal court hearing on New Orleans school integration today after his motion for a five-day continuance had been rejected.

"You are violating my constitutional rights," Attorney General Jack P. F. Gremillion shouted to the judges.

As he headed for the courtroom door, he added:

"I am not going to stay in this den of iniquity."

The three-judge court, presided over by Chief Judge Richard T. Rives of the Fifth Circuit Court of Appeals, continued without him.

At the conclusion of the two-hour hearing, it took under advisement motions by the National Association for the Advancement of Colored People and a white parents' group for an injunction prohibiting state interference with a Federal order to integrate first-grade classes of New Orleans public schools at the beginning of the school term Sept. 7.

Governor Jimmie H. Davis took control of the New Orleans Parish (County) schools from the local school board Aug. 18 to block compliance with a Federal Court order of May 6 ordering integration of the first grade.

The integration order was issued by Federal Judge J. Skelly Wright on that date after the board had failed to present a plan for integration. He had ordered the board four years ago to proceed with "all deliberate speed" to implement the Supreme Court decision of 1954 ordering school integration.

Judge Wright sat yesterday as a member of the three-judge court. The third judge was Herbert W. Christenberry.

All three judges are Southerners. Judges Wright and Christenberry are residents of New Orleans, Judge Rives of Montgomery, Ala.

Associated Press Wirephoto

**Attorney General Jack P. F. Gremillion walks out of school integration hearing.**

The walkout by Attorney General Gremillion came after Charles Richards, attorney for the parents group, attempted to introduce some routine affidavits in lieu of testimony. The court had ordered that method to speed proceedings.

Mr. Gremillion protested that he had not received a copy of the affidavits and that Federal court procedure required they be given to him five days in advance. He asked for the five-day postponement.

Judge Rives read from the rules of procedure, which seemed to give him discretion in the matter, then overruled the Attorney General's motion. Previously he had overruled motions to dismiss the whole proceedings and for a continuance on other grounds.

### Not Justice, He Says

"I don't consider this justice," Mr. Gramillion said, his face reddening. "I demand my constitutional rights. This court is running roughshod over us."

"You may reserve your objections," Judge Rives answered rigidly, "and I hope you will do it in a manner respectful to this court."

Mr. Gremillion sat down for a moment but continued to mutter about justice and the Constitution in an audible tone.

As Mr. Richards began to read the affidavits he was presenting, Mr. Gremillion jumped to his feet, shouted at the bench that he was walking out, then strode down the aisle and out the door without even picking up his papers.

His chief assistant, M. E. Culligan Sr., then asked permission of the court to withdraw "since I cannot proceed in the absence of my principal." The court assented and he and three other aides left.

Governor Davis was not present at the hearing, although he had been named as party. Two deputy United States marshalls testified they had been unsuccessful in attempting to serve a supboena on the Governor but that they had served subpoenas on his secretary and on his receptionist.

When Mr. Gremillion attempted to argue the legality of the service, Judge Rives halted him. The judge then ruled, however, that although the Governor was "in default" at the hearing, his presence was not needed.

After the courtroom had quieted down, following the walkout, Mr. Richards introduced his affidavits, as did counsel for the N. A. A. C. P.

Judge Rives then asked if there was other evidence to be introduced. In the absence of the Attorney General and his staff there was no answer.

"Let the record show," the judge then said, "that the court has called for evidence from the defense and open court and none is offered."

Thurgood Marshall, chief counsel for the N. A. A. C. P., made only a brief argument urging the court to grant the injunction against any interference with the carrying out of Judge Rives' order.

"This is no longer a case of Negro children seeking their constitutional right," he said. "This is now a challenge of the officials of the State of Louisiana to the sovereignty of the United States. The duty of this court is clear."

# 3 JUDGES FORBID LOUISIANA TO BAR PUPIL INTEGRATION

## Federal Panel Rejects Law for School Seizure—Aide of State Held in Contempt

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Aug. 27 — A three-member panel of Federal judges issued a sweeping injunction this afternoon restraining state officials from interfering with the integration of New Orleans' public schools next month.

The court also cited States Attorney General Jack P. F. Gremillion for contempt because of his stormy walkout yesterday during a hearing.

The court set Sept. 12 for a hearing on the contempt citation against Mr. Gremillion. The judges disqualified themselves to set the judgement. The United States Attorney here, M. Hepburn Many, was ordered to prosecute.

### Marshal Gets Copies

The injunction was directed not only against Governor Davis and the Attorney General but also named A. P. Tugwell, State Treasurer. It enjoined him from "taking any action which would deny school books, school lunches and school funds to any school because of desegregation."

United States marshals received copies of the contempt citation but could not serve them immediately. Mr. Gremillion had checked out of a hotel here this morning and his whereabouts were not known.

The temporary injunction was signed in chambers and filed in the Federal court clerk's office shortly before 1 o'clock. It ordered that control of the city's 118 public schools be returned to the New Orleans Parish (County) School Board.

### Enacted in May

It declared unconstitutional a state law, Act 496, under which Gov. Jimmie H. Davis had superseded the school board on Aug. 18. At that time, he ordered the schools to open Sept. 7, one day ahead of schedule, on a segregated basis.

State Law No. 496 was enacted by the State Legislature in Baton Rouge in May shortly after Federal Judge J. Skelly Wright had issued an order to the local school board to abolish segregation in the first grades of the public schools at the opening of the September term. His order followed four years of lack of action by the school board to obey a 1956 order to proceed "with all deliberate speed" to begin integration.

The Federal court today also declared unconstitutional six other state laws dealing with segregation.

The court's action was a complete victory for the National Association for the Advancement of Colored People, which first filed suit eight years ago to force integration of the New Orleans schools.

The integration order could affect twenty-eight of the city's white elementary schools. They are in mixed neighborhoods or adjoining areas where Negroes live. Before the latest series of court actions began last month, the school board had estimated that not more than 100 Negro students would be eligible to enter white schools this fall.

The three-judge court was headed by Chief Judge Richard T. Rives of the Fifth Circuit Court of Appeals. Its other members were Judge Herbert W. Christenberry and Judge Wright, who handed down the original order of integration. All are Southerners. Judge Rives lives in Montgomery, Ala. Judges Christenberry and Wright live in New Orleans. They are judges for the Federal Court in the Eastern District of Louisiana.

Suits are pending in two other school districts for integration orders similar to that issued last May by Judge Wright. Summary judgments now can be issued for other schools on petition.

However, there still was the prospect that the schools would not open. Governor Davis has hinted that if he was unable to circumvent the Federal court order he might withdraw state support.

Representatives of forty-five of the state's sixty-four parish school boards voted 43 to 2 at a recent meeting in Baton Rouge to close their schools rather than yield to Federal court orders to integrate. The only dissenters were the representatives of the New Orleans and Shreveport boards.

Governor Davis also might call the Legislature back into emergency session in an attempt to set up a state-supported private school system such as was attempted in Virginia in 1958. One upstate legislator was quoted the other day as saying that "as fast as the courts declare our segregation laws unconstitutional we'll meet and pass new ones."

Today's ruling didi not affect New Orleans eight-six parochial schools, which had 47,378 pupils last year to 95.000 in the city's 118 public schools. The Most Rev. Joseph Francis Rummel, the 82-year-old Roman Catholic archbishop of New Orleans is an outspoken foe of segregation. He has said that the parochial schools — which now also are operated as segregated units—also will be integrated "not later than the public schools."

# Court Hears New Orleans Mixing Suits

Montgomery Advertiser

Sat. 8-27-60

NEW ORLEANS, La. (AP)—A three-judge federal court—called a den of iniquity by Louisiana's attorney general—took under advisement Friday two suits seeking to nullify the state's school segregation laws.

"You are violating my constitutional rights," shouted Atty. Gen. Jack P. F. Gremillion to the judges.

be headed for the courtroom door, he added: "I am not going to stay in this den of iniquity."

Storming into the corridor, Gremillion told newsmen, "You can't tell what's going to come out of those fellows. They can do whatever they want, sociologically and psychologically, whatever that may be."

**'RUNNING COUNTRY'**

Then he said: "Negroes are running the country."

Before the court were two motions for temporary injunctions, one by the National Assn. for the Advancement of Colored People, and another by 31 white parents. They asked that Gov. Jimmie H. Davis be restrained from preventing the New Orleans School Board from complying with federally ordered integration.

U.S. Dist. Judge J. Skelly Wright had ruled that Orleans Parish — county — public schools must integrate the first grade when schools open.

Under recent state legislation, Davis was given power to close all public schools of the state if any school is required to integrate.

Davis was not at the hearing. Testimony was offered that he dodged process servers. The court ruled he had been properly served through his office employes. But it was not mandatory for him—or for Gremillion, for that matter—to appear.

**JUDGE RIVES**

The judges, who heard arguments in both cases during a two-hour session, were Richard T. Rives, presiding judge of U.S. 5th Circuit Court of Appeals; U.S. Dist. Judge Herbert W. Christenberry; and Wright. Rives is a native and resident of Montgomery, Ala., and Wright and Christenberry are natives and residents of New Orleans.

Rives, who presided at the hearing, said the tribunal hoped to rule at least several days before the scheduled opening of public schools here Sept. 7 "to avoid confusion."

# Judge To Consider Orleans Plea To Delay Date For School Mixing

New Montgomery Advertiser Dues. 8-30-60

NEW ORLEANS (AP) — U.S. District Judge J. Skelly Wright Monday agreed to consider a request for a delay of his order to integrate the first grade of New Orleans public schools.

The Orleans Parish school board, directed by the judge last May 16 to begin integration next month, asked him for a delay of six weeks to one year and a modification of the ruling under which all first grades would be subject to integration.

Judge Wright said he would announce his decision after conferring with A. P. Tureaud, attorney for the National Assn. for the Advancement of Colored People.

Montgomery Ala.

After the board met with Judge Wright, board president Lloyd J. Rittiner said he was optimistic over the prospects for a delay.

Gov. Jimmie Davis, in an attempt to thwart integration, seized the public school system here Aug. 17. The schools were returned to the control of the board in a decision by a special three-judge federal court last Saturday.

The board sought an extension of time to implement any plan of integration. Rittiner said there was no discussion of the pupil placement program through which some Southern states have held school integration to token size.

Rittiner said he was optimistic over the possibility of some delay.

In discussing the pupil placement plan, Rittiner said earlier, "if we have as much success as Norfolk, there will be as few as 12 Negro students in previously all-white schools."

Emile Wagner Jr., who usually dissents with the other four members of the school board, said he believed Davis would invoke the doctine of interposition or close the schools to prevent integration. Wagner did not attend the board conference with Judge Wright.

"The matter will be threshed out to the ultimate with no compromise asked or accepted," Wagner said.

**SPECIAL SESSION**

Wagner said the federal court decision, Aug. 27, which hold several state laws unconstitutional, did not involve a 1958 law authorizing the governor to close schools.

Wagner also said there were indications of a special session of the legislature. He said the legislators could address out of office any state officials for cause, apparently referring to a possibility there might be a move to remove the Orleans Parish school board.

At Haynesville, state Rep. John S. Garrett, chairman of the joint legislative committee on segregation, said he could see no use for a special session of the legislature at this time. Garrett said Davis had several plans in mind but declined to elaborate on them.

Davis issued a statement reaffirming that everything possible was being done to maintain segregated schools.

**STATE INTENTIONS**

"I intend to make public a declaration of our intentions shortly," the governor said, "but any statement at this time will be premature and is liable to prejudice our efforts."

The declaration was expected to be issued in two or three days.

Davis said he had conferred with his staff members, then office of State Atty. Gen. Jack Gremillion and others "regarding the strategy to be used by the state of Louisiana in allowing our schools to open this fall on a segregated basis."

The special federal court enjoined Gremillion from taking fruther part in the school segregation proceedings except to file for an appeal or a stay order. Gremillion said work was under way on a stay order but did not say it would be filed.

Gerard Rault, special attorney for the school board, said he doubted it there was any possibility of getting the U.S. Supreme Court to act on an appeal before schools open.

**GREMILLION CITED**

Montgomery Advertiser

# Court Bars Davis' Plan

Montgomery Ala.

Sun. 8-28-60

NEW ORLEANS, La. (AP)—Three federal judges, ruling swiftly after a stormy court hearing, Saturday ordered Gov. Jimmie H. Davis not to interfere with public school integration in New Orleans.

And they slapped a criminal contempt of court citation on Louisiana Atty. Gen. Jack Gremillion, who stalked out in the midst of Friday's court session.

Huffing and pounding a table, Gremillion had roared the tribunal was a "den of iniquity" and a "kangaroo court." He thundered as he bolted outside: "The Negroes are running the country."

The special tribunal issued its decree in a temporary injunction prohibiting the state from blocking integration in this city of 620,000.

**CONTROL RETURNED**

It ordered control of the schools back into the hands of the Orleans Parish - county - School Board and directed the board to comply with U.S. Dist. Judge J. Skelly Wright's May 16 order to integrate the first grade this fall.

In Baton Rouge, the governor's office released the following statement from Davis: "I have not been officially advised of any action of the court. However, I intend to spend this weekend conferring with my staff to prepare to use all available legal remedies."

Gremillion, in Baton Rouge, was asked if the court order meant the public schools would be desegregated if they open next month.

**ONLY SPECULATION**

"If they reinstate Judge Wright's motion as I understand they did," Gremillion replied "then I assume that's the way it will be. But that's only speculation on my part as of this moment."

The attorney general said Saturday's school decision did not come as a surprise because he was prepared to look "for the handwriting on the wall" after the 5th U. S. Circuit Court of Appeals Friday refused to halt integration of public schools in Houston, Tex., next month.

Wright, U. S. Dist. Judge Herbert W. Christenberry, and Richard T. Rives, chief judge of the 5th U. S. Circuit Court of Appeals, comprised the tribunal.

Rives, the presiding judge, is from Montgomery, Ala. Wright and Christenberry are natives of New Orleans.

**HELD UNCONSTITUTIONAL**

The judges gave a copy of their contempt citation to a U. S. marshal to serve Gremillion, who said he would ask for a jury trial. A hearing on the contempt citation is set for Sept. 12.

The judges, in their eight-paragraph temporary injunction decree, said Davis had "illegally seized control of public schools."

The ballad - singing governor took over administration of the city's schools Aug. 17 in an effort to keep them segregated. He acted under one of a batch of new school segregation laws.

The court ruled all the state segregation laws at issue were unconstitutional on their face.

The acts struck down included the school take-over law and one giving the Legislature the sole authority to classify schools as white, Negro or integrated.

The judges also tossed out a state law empowering the governor to close all schools when any one is forced to integrate and killed another act blocking funds to integrated schools.

**UNDER ORDERS**

In addition, the court ordered Gremillion and all persons working with him to keep from "interfering in any way with the operation of the public schools."

And the tribunal ordered a bond of $1,000 be filed by Davis, Gremillion and other state officials to pay any damages suffered by parties who are found to be wrongfully restrained.

The temporary injunction was sought in suits filed by attorneys for the National Assn. for the Advancement of Colored People and by 31 white parents. It was at the hearing of the suits, which were consolidated Friday, that Gremillion staged his fiery walkout.

# Judges Rule Integration Order Valid

Montgomery Ala. Montgomery Advertiser

NEW ORLEANS (AP) — Chief Judge Richard T. Rives and Judge Minor Wisdom of the Fifth Circuit Court of Appeals Friday signed an order refusing to halt integration of Houston, Tex., public schools. 8-27-60

Houston attorneys had asked the appellate court to hold up integration until the court could rule on the school board's appeal.

Rives and Wisdom filed no written reasons for their denial of an application of a stay.

U.S. District Judge Ben Connally of Houston had ordered integration started Sept. 7 in the first grade and progress a grade a year until all grades were integrated.

The board appealed from the order last week. Joe Reynolds, Houston school board attorney, said a stay was desirable because the appellate may not rule on the appeal before school starts.

In appealing the case, Reynolds argued that the school board was not given a hearing on its own plan of integration, that Connally's method of integration is beyond his jurisdiction, and that the 10th amendment of the United States Constitution gives school boards administration over local schools.

# Force Integrated Schools, Says D.A.

NEW ORLEANS (AP) — U.S. Dist. Atty. M. Hepburn Many said here unofficially that federal court "will use what force is necessary" to enforce integration of Orleans Parish (county) public schools Sept. 8.

Many, speaking before the Civic Council of New Orleans, made the comment when he was asked what means would be used to enforce U.S. Dist. Judge J. Skelly Wright's order to integrate public schools here.

"What the court orders is law," said Many. "We as citizens should live according to the law. However, the court will use what force is necessary. The greater the resistance the greater the force."

He mentioned the intervention of federal troops in Little Rock, Ark., to enforce an integration order.

In New Orleans, the federal court order to integrate, beginning with the first grade, has been followed by a state court injunction against integration. In addition, recent state legislation has authorized closure of the schools by the governor if integration is forced on the schools board.

Many told the civic group the Orleans Parish School Board has been "in a terribly difficult position. The people of New Orleans should be proud of the conduct of its members. Many of them are men of courage and conviction."

Thursday three members of the board, a quorum, instructed school authorities to continue to make plans for other methods of instruction in the event schools are closed.

## School Board In Middle Of 'Showdown'

The school desegregation situation in New Orleans has now reached the point where the embattled Orleans Parish School Board cannot avoid disobeying a court order. Two courts--one Federal, the other Civil--have handed down rulings which conflict. Thus, if the school board obeys one, it automatically disobeys the other.

There is another possibility however, that the school board can be rescued from its dilemma. That possibility rests in the outcome of a motion which will be heard in Federal Court on August 10.

U. S. District Court Judge J. Skelly Wright, on May 17, 1960, ruled in the Earl Benjamin Bush vs. Orleans Parish School Board case that the school board must integrate public schools in September.

Louisiana Attorney General Jack P. Gremillion, on July 25, sought a Civil Court injunction to prevent the Orleans Parish School Board from obeying Judge Wright's order. He based his suit on Act 496 of the 1960 Louisiana Legislature.

Attorneys A. P. Tureaud and Constance Baker Motley, representing Bush et als, on July 28, filed a motion in Federal Court asking an order to prevent Gremillion and Gov. Jimmie H. Davis from acting to block the integration of public schools.

Atty. Tureaud filed the orignal suit for Bush et als in 1952; Mrs. Motley is from the NAACP legal staff in Newh York

Civil District Court Judge Oliver P. Carriere, on July 29, granted the injunction requested by Gremillion and ruled that Act 496 is constitutional.

Act 496, signed into law by Gov. Davis a few weeks ago, provides that schools "presently being utilized for the education of non-Negro chilren" shall be utilized solely for non-Negroes unless otherwise classified by the Legislature.

The act provides also that schools being used to educate Negroes be re-classified only by the Legislature, and that the governor shall supercede any school board in the event integration is ordered.

Judge Carriere's granting of the injunction was expected because school board attorneys indicated they would not fight against Gremillion's motion. They had the same aim as expressed in the motion-segregation.

The motion filed by Attys. Tureaud and Motley, which will be heard Aug. 10, asks:

1. To make Jack P. F. Gremillion and Governor Jimmie H. Davis parties-defendants in the Bush case.

2. To enjoin Gremillion from proceeding with a Civil Court action aimed at preventing the school board from complying with the Federal Court's order to integrate.

3. To enjoin Gremillion from enforcing any order which might be issued by the state court against the school board.

4. To enjoin the governor and the attorney general of Louisiana from taking any other action or issuing any other orders or instituting any further proceedings to prevent the school board from complying with the Federal Court's integration order.

Following Judge Carriere's ruling, school board officials said they are now prohibited not only from planning--but from even thinking about--the integration of public schools in September.

Meanwhile, the Federal Court order of May 17 is still in effect and will be violated if the school board obeys the Civil Court injunction of July 29.

Should the Federal Court on Aug. 10 grant the motion requested by Attys. Tureaud and Motley, it may nullify the Civil Court's action. But that's another matter for the courts to decide.

# Public School Fate Hazy In Louisiana

## State - Federal Litigation Presents Impasse

NEW ORLEANS, Aug. 7.—(AP)—The future of public schools in New Orleans—and possibly all Louisiana—was hidden Sunday in a maze of Federal and state litigation over partial integration here.

If a Federal District Court order is obeyed—and there is no indication it will be—public schools here will open Sept. 8 on a desegregated basis for the first time since Reconstruction days.

United States Atty. M. Hepburn Many, asked what method would be used to enforce the court order, replied: "What the court orders is law. We as citizens should live according to the law. However, the court will use whatever force is necessary. The greater resistance, the greater the force."

State law permits the Governor to close every public school in Louisiana to prevent integration in any one of them.

The question of closing all Louisiana public schools if those here are integrated is "something we'll go into later," Gov. Jimmie H. Davis said last month.

Lloyd J. Rittiner, president of the five-member Orleans Parish (county) School Board, said, "I believe there is absolutely nothing that the Governor or the attorney general can do to maintain a segregated school system in Louisiana."

The Federal plan, drafted by United States District Judge J. Skelly Wright, orders desegregation of the first grades of the 65 white and 53 Negro elementary schools. This order was directed to the school board last May 16 when the board said it was barred by state law from offering an integration plan of its own.

# State Judge Halts Orleans Integrate Order

## Says Constitution Does Not Demand Mixing In Class

NEW ORLEANS (AP) — Using a statement that the U. S. constitution "does not require integration, it merely forbids discrimination," state civil Dist. Judge Oliver P. Carriere Friday ordered the Orleans Parish school board not to comply with a federal court directive to integrate the city's public school next September.

The preliminary writ of injunction was asked by Louisiana Atty. Gen. Jack P. F. Gremillion in an attempt to restrain the school board from making any plans for public school reclassification.

Judge Carriere's decision spotlighted the possible conflict between state and federal courts. Carriere ruled that his court had jurisdiction in this matter and that Act 496 of the 1960 Louisiana Legislature is constitutional. The act provides the Legislature with only authority to classify schools.

Gremillion had contended the school board lacked this authority, and hence, no right to desegregate the city schools this fall. U.S. Dist. Judge J. Skelly Wright issued a May 11 ruling that directed the school board to desegregate first grade classes in the next school term.

Carriere pointed out that Act 496 is the lever for integrating public schools in Louisiana. Emphasizing that the Legislature can act with "all deliberate speed" to admit children to public schools on a "racially non-discriminatory basis," the judge ruled that the act satisfies "the letter and spirit of the requirement of the doctrine set by the U.S. Supreme Court" in an earlier case.

Attorney Gerard Rault, representing the school board, stated in an earlier hearing that the board had directed the public school superintendent to study and make plans for both an integrated and segregated school system in September, and to study administrative procedures to be taken in case public schools are closed in September.

Gremillion claimed this plan was outside the authority of the school board. The board said it would not challenge the injunction if it were issued.

In essence, Carriere's decision says the Orleans Parish school board "may decline to open the public schools in New Orleans and violate neither the order of the United States district court nor the order of the state court."

# SUIT SEEKS TO HALT DAVIS SCHOOL MOVE

## NAACP Sues to Block Anti-Mixing Action

Attorneys for Negroes seeking to integrate New Orleans public schools filed a motion Thursday in federal court seeking to block any action on the part of the governor or the state attorney general which would prevent integration in September.

A hearing on the motion was set by the attorneys for Aug. 10 at 10 a.m.

**The motion also asked that Gov. Jimmie H. Davis and Atty. Gen. Jack P. F. Gremillion be made defendants in the suit against the Orleans parish school board. It was filed by A. P. Tureaud, New Orleans, and Constance Baker Motley, New York, attorneys for the National Association for the Advancement of Colored People.**

Three forms of injunctive relief are sought in the motion. The first would enjoin the attorney general from proceeding with a suit filed in civil district court Monday against the school board seeking to enjoin it from making plans for the integration of the schools as ordered by Federal Judge J. Skelly Wright on May 16.

**HEARING SET TODAY**

Judge Oliver P. Carriere is scheduled to hold a hearing on this suit at 10 a.m. Friday.

**Secondly, the motion seeks to enjoin the attorney general "from enforcing against the Orleans parish school board any order or injunction which may be issued in said action."**

The third form of relief asked is for an injunction enjoining Gov. Davis and the attorney general "from taking any other action, or issuing any order, or instituting any other proceedings" to prevent the school board from complying with Judge Wright's integration order.

In a review of the litigation in the case contained in the motion the NAACP attorneys allege that the United States fifth circuit court of appeals has ruled specifically that state Act 319 of 1956 did not operate to relieve the board of its duty to comply with Judge Wright's injunction enjoining the board from operating schools on a segregated basis.

Act 319 is one of the major issues in the suit before Judge Carriere. It gives the Legislature the exclusive power to designate schools as either all white or all Negro and provides that only white teachers shall teach white children and Negro teachers Negro children.

**BOARD ALREADY IN COURT**

The motion also claims that the school board has already litigated in the federal district court and the fifth circuit the question of whether Act 319 operates to prevent the board from complying with Judge Wright's order of May 16 which calls for integration beginning in the first grade in September.

**"The action in the state court seeks to re-litigate a question already litigated and an injunction is required to protect and effectuate this court's judgment," the motion stated.**

Tureaud appeared Thursday afternoon in civil district court and withdrew his petition to be heard as a "friend of the court" in the suit before Judge Carriere.

**Although the motion in federal court was noticed for hearing by Tureaud and Motley for Aug. 10, Judge Wright is now in New York hearing cases and is not scheduled to return to New Orleans until Aug. 22.**

# Race Suit Filed In New Orleans

## Negroes Try To Stop State From Preventing Mixing Of Schools In Fall

By the Associated Press

NEW ORLEANS, July 28. — Negro attorneys countered with a Federal court suit Thursday in an effort to stop the state from preventing integration of the city's public schools next September.

Attorneys A. P. Tureaud of New Orleans and Mrs. Clarence Baker Motley of New York, representing the National Association for the Advancement of Colored People, filed the motion.

A hearing on the proposal was set for Aug. 10, but state Civil District Judge Oliver P. Carriere will act Friday on Louisiana's request for a temporary injunction to block such integration.

Atty. Gen. Jack Gremillion asked for the injunction to prevent what he called "immediate and irreparable damage" in the Orleans parish school board's move to make plans and comply with the order issued last May by United States District Judge J. Skelly Wright.

**Questions Authority**

Gremillion claimed the school board lacked authority to reclassify schools from their present segregated basis.

School Board Atty. Gerard Rault told the court Monday when Carriere refused to issue a temporary restraining order that the board had recommended three plans:

To study and make plans for continuance of a segregated school system.

To study and make plans for an integrated school system.

To study and make plans for administrative procedures to close the schools.

**Legislature's Right**

Gremillion contended the school board did not even have the right to study such plans. The power to reclassify schools, he said, lies solely with the state Legislature.

The motion filed by Tureaud asked the Federal Court:

To add Gremillion and Gov. Jimmie H. Davis as defendants in the original suit filed in 1956 against the school board by a group of Negroes seeking admission to white public schools.

To issue an injunction preventing Gremillion from proceeding with the injunction suit he filed in the state court against the school board.

To enjoin Gremillion and Governor Davis from taking any other action to prevent the school board from complying with Wright's integration order.

The school board met Wednesday and instructed Rault not to challenge the court action filed by Gremillion.

# Gov. Davis Takes Control Of Schools In New Orleans

BATON ROUGE, La. (AP) — Gov. Jimmie H. Davis Wednesday took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

U.S. Dist. Judge J. Skelly Wright has ordered the Orleans Parish—county — School Board to integrate the first grade in September.

Davis acted under a 1960 legislative law which permits the governor to supersede parish school boards to prevent racial integration of public schools.

The new state law permits the governor to take over "exclusive control, management and administration of public school ... on a racially segregated basis until such time as the Legislature shall classify or reclassify schools to place into operation there in a plan of racial integration."

A state court, holding that only the legislature can reclassify a school racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis's action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The Legislature, under the move, must ratify classification of schools, so a special session of the Legislature may be required before the September school opening.

Davis' executive order apparently insured that for the time New Orleans schools will be racially segregated.

# Suit To Prevent La. Defiance Postponed

**A suit to prevent the Governor and the Attorney General from blocking school integration here as previously ordered by the Federal court has been reset for August 24 in the U. S. District, Judge J. Skelly Wright's court.**

**The case was continued last week when Judge Wright was in New York City hearing cases in the absence of judges who were away on their summer vacations.**

**The suit filed by Attorneys A. P. Tureaud and C. B. Motley, seeks to enjoin the Attorney General from enforcing against the Orleans Parish School Board and the State court injunction which forbids it to re-classify schools and to enjoin Gov. Jimmie H. Davis and Attorney General Jack Gremillion from taking any action or issuing orders or instituting any proceedings to prevent the school board from complying with orders of the U. S. Judge who has ordered to begin the integration of schools from the first grade.**

**Meanwhile, Governor Davis in Baton Rouge repeated his pledge that schools will remain open on a racially segregated basis.**

**A recently enacted state law gives Davis the power to supersede any parish school board which had been ordered to integrate its schools, and also allows him to close all schools in the State if any one school is ordered to integrate.**

**Attorney General Jack Gremillion several weeks ago obtained a preliminary injunction in Civil District Court which prevents the school board from complying with the Federal Court's order to integrate schools on September 8. It holds that the governor and the legislature has the power to reclassify schools, and affirms the legality of the new state law.**

**The hearing now awaited in Federal Court seeks to enjoin the Attorney General from proceeding further with the Civil Court suit which resulted in the preliminary injunction.**

# PUPIL INTEGRATION POLL OPENS TODAY

## Parent Views on School Mixing or Closing Aim

Sixty thousand New Orleans parents will be asked Monday if they prefer to see public schools closed or submit to partial integration of white and Negro pupils.

Monday morning's mail will bring to the parents or guardian of each public school pupil a questionaire from the Orleans parish school board.

On the questionaire will be two preferences:

1. I would like to see the schools kept open even though a small amount of integration is necessary.

2. I would like to see the schools closed rather than be integrated even in small amounts.

**Parents are asked to check their preference then drop the self-addressed, stamped postal card in the mail.**

The school board, caught between a federal mandate to integrate and a state law that says it doesn't have that power, said the informal poll is designed "to get the community's feeling on the possibility of integration."

**'BOARD WANTS GUIDE'**

School board president Lloyd J. Rittiner said he believes it is the first such poll to be conducted by a school board in the United States.

**"We want the results of this poll to guide our future planning," he said. "But that doesn't mean we will necessarily abide by the result. The board wants a guide. We want the community's feeling on this."**

The poll questionnaire is printed on blue, yellow, pink and green postal cards. Each set of parents will receive only one card.

Rittiner said the cards are of different colors so the board can determine if the voting parents are white or Negro.

He said he doesn't know what part the poll result will play in the board's future decisions.

**MAY NOT ANNOUNCE**

"We don't know now if we will even announce the result of the poll to the public," Rittiner said.

**Four of the five school board members have publicly indicated that they prefer to keep the schools open even though some integration is necessary. They are Rittiner: board vice-president Louis G. Riecke, and members Theodore H. Shepard Jr., and Matthew R. Sutherland.**

The fifth member, Emile A. Wagner Jr., has said publicly that he wants the schools closed rather than see any integration.

# Keep Schools Open, Parents Desire Here

Parents of Negro children attending public schools are being urged to respond to the questionnaire which has been submitted to some sixty thousand New Orleans parents to see if they prefer to see public schools closed or have token integration of white and Negro pupils.

**The parents have only two choices to select from: (1) I would like to see the schools kept open even though a small amount of integration is necessary; and (2) I would like to see the schools closed rather than be integrated even in small amounts.**

**Although several organizations interested in complete integration of all public schools have expressed opinion that "even partial integration does not answer the situation of a totally integrated public school system," they have gone on record of urging all negro parents and other well-thinking citizens and parents, to cast their vote for "to see the schools kept open even though a small amount of integration is necessary."**

A token-type of integration, **regardless on what level or levels started, would at least be in the desired direction. On the elementary and secondary school levels there has been no attempt by the Orleans Parish School Board or other parish school boards of this state to comply with the U. S Supreme Court Decision of 1954.**

**To the contrary school board officials have in all instances and communities done everything possible to have laws enacted to prevent integration and used other measures to halt the mixing of the races.**

**Among those organizations urging parents of Negro school children to return their questionnaires are The New Orleans Branch of the NAACP, the New Orleans Chapter of The Frontiers of America, The Urban League of Greater New Orleans, The New Orleans Improvement League, The Studs Club, Inc., The Consumers League, The New Orleans Interdenominational Ministerial Alliance and the Save Our Schools group.**

**In statements issued here this week, Dr. A. L. Davis, Jr., president of the New Orleans Interdenominational Ministerial Alliance, and Mrs. Ethel Young, president of the New Orleans Council Parent-Teacher Council, urged all parents to tell the school board they want integration and to keep the schools open.**

Dr. Davis said:

**"The School Board motive in consulting the parents of our city on the issue of integration is questionable. This matter has been decided by the Supreme Court of the land which has ruled that schools of New Orleans must be integrated. We urge all parents to vote 'yes' for integration and to keep the schools open just as the people of Atlanta have done, stating that they prefer ever token integration and the keeping of the schools open."**

Mrs. Young declared: **"We want our schools saved and I am making a plea to all parents to tell the board that they want token integraion and the schools kept open. There are some I know who are not really**

# HALT ON MIXING ORDER IS ASKED

## School Board Files New Federal Petition

Federal District Judge J. Skelly Wright was asked Monday by the Orleans parish school board to vacate his order requiring the board to present by May 16 a plan for the integration of the city's public schools.

**The motion to vacate the order was filed for the board by Gerald A. Rault, the board's special attorney retained to fight integration. A hearing on the motion was set for May 4.**

Rault urged two grounds for the reversal of the court's order.

In the first argument he claims than an opinion of the United States fifth circuit court of appeals on July 15, 1959, in which it upheld an injunction issued by Judge Wright in the segregation case shows that there was no need for Judge Wright to either interpret or pass upon the constitutionality of Act 319 of 1956.

**COMMITTEE SET UP**

That state act sets up a legislative committee which would designate which schools would be all white and which all Negro. It also specifies that white teachers shall teach only white children and Negro teachers shall teach Negro children.

**Rault's second contention is that the Orleans parish court of appeals and the Louisiana supreme court have both recently issued opinions interpreting the act in question and "held that it is clearly constitutional."**

He claims in the motion that the school board has neither the legal right nor the power to present a plan for integration.

In a memorandum attached to his motion, Fault contends that is fundamental that the interpretation of one of its own state statutes by the supreme court of a state is binding on the federal courts.

**GRADUAL INTEGRATION**

Judge Wright issued the order requiring that the board present a plan last July and at the time suggested that the board consider a gradual integration, beginning with the first grade the first year and expanding each year.

**The board's fight against integration began in February, 1956, when Judge Wright originally enjoined the board from continuing a policy of segregation. Since then the case has been to the United States supreme court three times.**

The Orleans parish court of appeals has held that the Louisiana Legislature alone has the right to classify public schools as all white or all Negro. That ruling was upheld by the Louisiana supreme court.

# PUBLIC SCHOOL HALT FAVORED

## White Parents In Survey Oppose N.O. Mixing

A special survey of parents of public school children showed white parents overwhelmingly in favor of closing the schools rather than have them integrated even in small amounts.

Parents of Negro pupils were, to an even greater degree in favor of keeping the schools open though a small amount of integration may be necessary.

Lloyd Rittiner, president of the Orleans parish school board, Tuesday announced the result of the survey conducted during the past 10 days.

Here were the preferences:

| | White | Negro |
|---|---|---|
| Schools open..... | 2,707 | 11,407 |
| Close schools..... | 12,299 | 679 |
| Total votes cast.. | 15,006 | 12,086 |
| Votes spoiled..... | 52 | 39 |
| Ballots returned.. | 15,058 | 12,125 |
| Ballots mailed.... | 24,535 | 25,779 |
| Per cent returned | 61.37 | 47.03 |

**"It's obvious to see how the white people feel," said Rittiner. "They'd rather see the public schools closed rather than have them integrated even to a small degree."**

When it was pointed out to him that of the total returns more parents (of both races) preferred keeping the schools open—14,114 vs. 12,978, Rittiner said he is disregarding the Negro vote.

**SERVES AS GUIDE**

"I will abide by the wishes of the white people because they are the people who support the school system and elect us to the school board," he said.

**Asked what effect the survey would have on school board policy, Rittiner said it would serve only as a guide to the wishes of the people.**

He expressed satisfaction with percentage of ballots returned, but was "surprised" at how the voting went. He expected the white parents to express a preference to keeping school open.

"It's evident now how the white people feel about the school integration question," he said. "I, for one, will not go contrary to the wishes of the white people.

**HEARING MAY 16**

"I've said all along that closing of schools would not solve any problems, but this obviously is what the people want."

**Federal district court Judge J. Skelly Wright will hear a school board motion on Wednesday to vacate the court's order requiring that the board submit a plan—by May 16—for integrating public schools.**

**The board does not have a plan and "couldn't have one in face of state law" prohibiting mixed schools, Rittiner said.**

"The state laws on the subject have never been declared unconstitutional," he said.

Dr. James F. Redmond, superintendent of public schools, was present at the discussion Tuesday.

**Rittiner said that if Judge Wright orders that the school board may not operate a segregated school system, then under state law the board could not operate any kind of**

school system.

State law states that the school board may not operate integrated school systems, he said.

**ALTERNATIVES CITED**

Among alternatives mentioned by Redmond and Rittiner in the event Judge Wright prohibits operation of a segregted system were:

1. The governor could order order schools closed.

2. He could then re-open them when he determines that schools can be run without mixing white and Negro pupils.

3. The Legislature may give "permission" to the school board to "classify schools as integrated" and allow the board to run an integrated schools closed.

Judge Wright last July ordered the school board to submit an integration plan by May 16.

# New Orleans Taking Poll On Desegregation

NEW ORLEANS — The New Orleans Parish school board, ordered by the federal district court to desegregate the public schools of New Orleans, began Monday asking 60,000 parents which would they like to see, closed schools or integrate schools."

Federal District Judge J. Skelly Wright ordered the school board to submit an acceptable plan for the desegregation of the school by May 17. Lloyd J. Ritter, board chairman, has indicated the board would like to use the results of the poll as a guide in future planning by trustees, but he concluded, "that doesn't mean we will necessarily abide by the results."

# Organize To Keep N.O. Schools Open

Mindful of the dire consequences that could follow the closing of the public schools in New Orleans, a local organization known as "Save Our Schools," primarily concerned with keeping the schools open issued the following statement of its position Tuesday.

"The Orleans Parish School Board has asked parents of public school children to decide whether they would be willing to close the public schools rather than to accept token integration. SAVE OUR SCHOOLS, an organization of parents and other New Orleans citizens concerned solely with the continuation of public education in New Orleans, commends the School Board for encouraging parents to discuss this vital question among themselves and to share with the School Board the responsibility for meeting the crisis."

"In the discussions which will take place in P.T.A.'s, P.S.A.'s, and private homes during the next few weeks many alternatives will undoubtedly be considered: legal methods to forestall integration, various types of token integration, and the possibility of supplanting the public school system with a "semi-private" system. SOS hopes that all parents and citizens will conclude that the closing of the public schools is a totally unacceptable alternative. Experience in other cities has amply shown that a "semi-private" arrangement cannot successfully take the place of a public school system carefully developed over many years."

"The principal right and necessity for the preservation of our nation is education. We must not interrupt or halt children's education. We must not lose fine teachers and good students. We must not discourage the continued economic and cultural growth of the city and area."

"The closing of public scools inevitably means an increase in juvenile delinquency, as thousands of youngsters are left to their own devices. It means loss of accreditation, loss of federal funds and the shifting of additional tax burdens to all the citizens of Louisiana. It means the sacrifice of the health protecting services now available to public school children, such as physical examination, immunization, and the school lunch program. It means economic stagnation, because new industries refuse to move into an area in which the public schools have been closed. Of most importance, the closing of schools means the wasting of our greatest resource -- our children, who, in the years ahead, will guide the city, state and nation in an increasingly complex world."

SOS does not propose to argue the merits of segregation versus desegregation of states' rights versus federal rights. SOS has a single aim: to champion children's right to a public education. SOS invites all parents and citizens to help maintain this most basic of all rights. SOS stands ready to cooperate with the elected officials of the city of New Orleans and the State of Louisiana in an effort to reach a solution which will permit the continuing benefits of public education for our children.

Rabbi Julian B. Feibelman, Father Joseph H. Fitcher and Rt. Rev. Gerrault M. Jones are all co-chairmen of the Board of Directors, SOS.

# More Integration Of Louisiana's Schools Ordered

NEW ORLEANS, La.—A federal court has denied a move by New Orleans school authorities to avoid compliance with a court order to produce a desegregation plan on May 16.

On Friday, April 29, the same court ordered two other counties in Louisiana to make preparation to desegregate their public schools.

The federal court also on Friday enjoined the Louisiana State Board of Education from discriminating against qualified Negro students seeking admission to six of the state's trade schools.

The same court had originally on February 15, 1956, ordered the Orleans Parish School Board, which includes New Orleans, to proceed with desegregation. The school board engaged in a series of unsuccessful appeals and on July 15, 1959 the court instructed the school authorities to bring in a specific plan on May 16, 1960. The school authorities later asked the court to vacate its own order. The request was denied today and the court instructed the school board to bring in a desegregation plan by May 16.

**LONG PENDING CASE**

The April 29 decisions of the court involved St. Helena and East Baton Rouge Parishes and the Louisiana State Board of Education. The St. Helena case has been pending since 1951 and the East Baton Rouge suit was filed in 1956. Both school boards were ordered to make arrangements for desegregation of their school facilities.

The order enjoining the Louisiana State Board of Education from discriminating against Negro students resulted from suits brought against the Shreveport Trade School, the Southwest Louisiana Trade School in Crowley, Natchitoches Parish Trade School in Natchitoches, St. Helena Parish Trade School in Greenberg, Sowela Vocational - Technical School in Lake Charles and Harris Trade School in Opelousas.

NAACP Legal Defense and Educational Fund attorneys for the Negro students in these cases were A. P. Tureaud of New Orleans; Thurgood Marshall and Constance Baker Motley of New York City.

# Judge Stands Pat On Desegregation Appeal

## Refuses To Set Aside Order At New Orleans

NEW ORLEANS, May 4.—(AP)—United States Dist. Judge J. Skelly Wright refused Wednesday to set aside his order that the Orleans Parish (County) School Board submit a public schools desegregation plan by May 16.

Immediately after Judge Wright's decision, board atty. Gerard Rault said the board would seek legal recourse. He didn't say what action would be taken.

Mr. Rault had asked Judge Wright to set aside his July 15, 1959 order that the school board draw up a desegregation plan for gradual integration.

Judge Wright recommended starting with the first grade the first year and progressing each year until all grades are integrated.

Mr. Rault argued that a 1956 state law, held constitutional by state courts, gives the Legislature rather than the school board authority to designate which schools should be white, Negro or integrated.

The attorney said the board had neither the right nor the power to plan integration of New Orleans public schools which have 41,000 white and 50,000 Negroes.

# MIXED SCHOOLS HERE HELD KEY

## Will Be Signal for State System, Says Hennessey

The president of the White Educational Association, Inc. said Thursday it was his opinion that public school systems throughout the state will fade integration, once the Orleans parish public schools are integrated.

"If Orleans falls, then the rest of the state will go to," said Lawrence Hennessey Jr. "I understand that's what's going to happen."

Hennessey spoke to the legislation and taxation and education bureaus of the Young Men's Business Club at noon in the Insurance Club, 727 Common.

The group that Hennessey heads has about "150 paid in members," he said. It cooperates with parents of public school children who wish to formulate a school co-operative. The school co-operative would operate schools for white children only.

Hennessey said the integration of schools will lead to the "destruction of our country, our civilization and the Caucasian race."

He said the integration is being brought about by the National Association for the Advancement of Colored People, a group which "is running the country and pushing the white man around."

"Our group is not interested in hate propaganda but in the education of our white children," said Hennessey. He added that it was his opinion the operation of a private school system would not be too difficult.

# GROUP OPPOSES SCHOOL CLOSING

Plea Sent La Governor Urges Action

The cochairmen of Save Our Schools Inc. Monday urged Gov. Jimmie H. Davis to do everything in his power to prevent Louisiana schools from closing.

The text of a telegram:

"We, the undersigned, cochairmen of Save Our Schools Inc., urge you to do everything possible to maintain our system of free uninterrupted public education for the school children of Louisiana. We need either a plan for the legal continuation of segregated schools or a legislative program which would restore to the Orleans parish school board the authority to bring about basic compliance with Judge (J. Skelly) Wright's (integration) order of May 16.

"We have already seen in other Southern states the disastrous results and the futility of school closure. We earnestly hope and pray that your leadership will prevent similar tragedy in Louisiana."

The telegram was signed by the Rt. Rev. Bishop Gerault M. Jones, the Rev. Joseph Fichter, and Rabbi Julian B. Feibelman.

# Louisiana Schools Study Integration Appeal

## Orleans Parish Educator Offers To Work Out Plans

NEW ORLEANS, June 27.—(UPI)—Orleans Parish School Board President Lloyd J. Rittiner, who said he doesn't believe public schools can be converted successfully to private institutions Monday offered to work with any segregation group interested in formulating plans for such a switch.

New Orleans Public Schools are under a Federal Court order to integrate first grades in September.

"If such a conversion were attempted, detailed groundwork for it would have to be laid this summer," Rittiner said.

"We cannot go through the summer hoping vaguely that something can be worked out, then find outselves next fall without any workable program."

Rittineer has said he believes integration of public schools here is inevitable. He also has said he thinks public schools in New Orleans will be closed in September.

The school board has asked Gov. Jimmie Davis to "interpose himself as head of the school system of the state to keep the schools open on a segregated basis.

Governor Davis said he would use interposition only as a last resort. He said he has been advised additional legal steps will be taken to keep the schools open in September on a segregated basis.

In New Orleans

# 'Cold War' Over Sept. Mix Edict

By JOHN E. ROUSSEAU

NEW ORLEANS—The recent order by U. S. District Court Judge J. Skelly Wright that New Orleans public schools must integrate the first grade in September is the basis of a city-wide "cold war."

The paramount issue is: Will public schools be closed, instead of integrated?

**A small group of diehard segregationists insist that the schools will be opened on a segregated basis or will not be opened at all. An ever-increasing majority is insisting that the schools remain open regardless of integration.**

The Orleans Parish school board voted to interpose the sovereignty of the state of Louisiana through Gov. Jimmie Davis to prevent the integration of public schools.

Scores of ministers, however, have made appeals that the schools be kept open. About five Negro ministers are included.

■

**ORLEANS** Parish school board president Lloyd J. Rittiner contends it is impossible to comply with the Federal court order to integrate due to existing and newly enacted state laws.

**Emile A. Wagner Jr. a school board member, says schools will be opened on a segregated basis in September, even if interposition action must be taken.**

The school board in its meeting last week discussed the matter of integrating public schools. Among letters read from clergymen was one from Archbishop Joseph Francis Rummel which listed reasons for keeping public schools open.

**In one of the reasons, the archbishop said: "Why not accept the moderate form of gradual integration proposed by Judge Wright as a sound, temperate interpretation of the American way of life, and, incidentally of the Christian way of life?"**

Four of the five school board members approved the resolution calling for interposition. They were Theodore Shepard, Louis G. Riecke, Lloyd J. Rittiner and Matthew R. Sutherland.

Ministers from 13 churches of the Unity Church of Christ have approved a statement supporting Federal court rulings to integrate public schools in September. Later, 26 Episcopal clergy including the Rt. Rev. Girault M. Jones, Bishop of Louisiana, adopted a resolution urging that the public school be preserved.

Those adopting the Episcopal resolution included the Revs. Ralph A. Bridges, Carl H. Stolley Jr., Stephen L. Skardon, Leighton H. Nugent, J. L. Rhymes, Henry H. Crisler, William C. Acosta, Laurence E. Hall, James E. Marshall, William Donald George, A. Dean Calcote, Thomas C. Aycock Jr., Canon William S. Turner, William P. Richardson Jr., Canon John Del. Karston, Joseph R. Beckman, John McKee, Charles H. Blakeslee, Hugh C. McKee, John S. Jenkins, Robert B. Lucent, Bernard J. Hellman, John G. Arthur, Nicholas J. Abraham, Sherwood S. Clayton, and the Rt. Rev. Girault M. Jones, Bishop of Louisiana.

# STAY IS SOUGHT IN SCHOOL EDICT

## Delay Asked on Integration Order of Wright

The Orleans parish school board has asked associate Justice Hugo L. Black of the United States supreme court to delay the execution of a federal court order requiring integration of the first grade of the New Orleans public schools in September.

**The motion for the stay filed in the supreme court by Gerard A. Rault, the school board's special attorney in the segregation fight, asks that the order of district Judge J. Skelly Wright directing that integration begin in the first grade in September be stayed until the US court of appeals for the fifth circuit can hear and decide an appeal on the matter.**

Judge Wright issued his order containing the plan for first grade integration on May 16 and on May 30 the school board appealed the order and asked for a stay of execution from the fifth circuit. Three days later the court of appeals refused the stay in a two to one decision.

**START FIRST GRADE**

In Judge Wright's order the school board is directed to begin desegregation in September by allowing all children entering the first grade to attend either the formerly all white public school nearest their homes, or the formerly all Negro public school nearest their homes, at their option.

It also provides that children may be transferred from one school to another, provided such transfers are not based on consideration of race.

**Rault contends in his appeal to the supreme court that if a stay is not granted pending a hearing of the appeal to the fifth circuit "irreparable injury will be done to the citizens of New Orleans, particularly to the first grade school children of both races, and possibly to all of the citizens of the state of Louisiana."**

He alleges that the appeal is "serious and substantial one" in that the district court has directed that the schools "be desegregated, in other words integrated, and the court itself has supplied a plan for such integration."

**NOT REQUIREMENT**

The school board attorney held that it is clear under the law that the district court has no such power under the law. His motion for the stay quoted a decision which he claimed has frequently been quoted with approval by the courts, including the fifth circuit, with reference to the rule announced by the supreme court in the desegregation cases.

**This decision, Rault contends, states, "It has not been decided that the federal courts are to take over or to regulate the public schools of the state. The constitution in other words does not require integration. It merely forbids discrimination."**

In this respect Rault contends that the district court had neither the right nor the authority to order the schools integrated and its authority was limited to decreeing that the schools could not be operated on a segregated basis. He claimed that this position was upheld in an opinion of the fifth circuit which denied a rehearing in a previous appeal in the school board case.

**EXCEEDS JURISDICTION**

Rault also contends that Judge Wright exceeded his jurisidiction in one phase of the school board case when he held Act 319 of the 1956 Louisiana Legislature unconstitutional. That act provided that the Legislature reserved to itself the right to classify schools as to race.

**In addition to declaring that act unconstitutional, Judge Wright also refused a stay until an action for a declaratory judgement to interpret the act could be heard by the Orleans parish court of appeals and the Louisiana supreme court.**

Rault claims that the fifth circuit affirmed the injunction against the school board prohibiting segregation without discussing the constitutionality of Act 319.

**He alleges that when the fifth circuit later denied a motion for a rehearing in that phase of the case Judge Elbert Tuttle clearly held that the determination of the case and that he exceeded his jurisdiction in declaring it unconstitutional.**

It is also apparent, from the same opinion of Judge Tuttle, Rault contends, that Judge Wright could not order the schools integrated "but could only direct defendant school board not to operate the schools on a segregated basis, even though this might mean that because of the state statute the school board could not operate the schools at all."

**STATE COURT UPHOLDS**

The Orleans parish court of appeals later interpreted Act 319 in a manner which apparently insured its constitutional validity and the Louisiana supreme court denied a writ of review, Rault pointed out.

**He argues in his motion to the United States supreme court that in light of Judge Tuttle's opinion the decree of Judge Wright holding Act 319 unconstitutional has been voided and in view of the rulings of the Louisiana courts the act is obviously constitutional and the school board was prohibited by a valid state statute from presenting a plan for integration as ordered by Judge Wright.**

The motion for the stay also alleges that the school board appeal is based on the contention that the one judge district court, in holding a state statute unconstitutional and directing the board to present a plan for integration, in violation of state law, exceeded its jurisdiction and violated the provisions of the United States code providing for the convening of a three-judge court in such matters.

**BOARD UNCERTAIN**

The school board is and has been uncertain as to its rights and obligations with respect to

...ication of public schools, ...these rights and obligations ...pend upon the constitutionality ...unconstitutionality of Act 319, ...the motion states.

**"In a matter of such vast importance to the people of this state, a court of last resort should be given opportunity to pass upon the constitutionality of the act before any further action is taken in this matter. By such a final determination all parties involved will be apprised of their rights and obligations and can act accordingly," Rault asserted.**

The school board attorney pointed to an affidavit Lloyd J. Rittiner, school board president, which was attached to the motion, showing that during the 1959-60 school year there were 6982 Negro children in the first grade of the Orleans parish public schools and 4042 white children.

**OUTNUMBERED WHITES**

The school board's department of research, census and planning, according to the affidavit, estimates that for the next school year there will be over 7000 Negroes and less than 400 white children in the first garde.

**"There can be no question from the experience of public schools which have been integrated in other cities, including Washington, D.C., that should the district court's order be put into effect there will be a substantial reduction in the number of white children enrolling in the first grade and in all probability the Negro children in said grade will outnumber the white children at least two to one," Rault stated.**

Intensifying the problem, the attorney pointed out, is the Louisiana statute authorizing the governor to close any school ordered integrated, and the act passed by the Legislature authorizing the governor to close all public schools in the state if any one of them is ordered integrated.

**HARDSHIP CITED**

**"We believe it is unnecessary to point out to the court the irreparable injury which will result to the people of this city and state if a stay is not granted from the decree of the district court; the hardship which will be suffered by all of the children of this state if the public schools are closed, or the turmoil which will result in the already overcrowded schools of this city, (approximately 50,000 Negro and 40,000 white children) if the impractical order of the district court is put into effect, prior to a final determination of this matter on the merits by a court of last resort,"** Rault told the supreme court.

He termed the appeal "most serious and substantial" and alleged that enforcement of the order of Judge Wright "will play havoc" with the public school system. He called a stay order "urgently necessary."

A. P. Tureaud, attorney for the National Association for the Advancement of Colored People, asked the supreme court for 10 days in which to file opposition to Rault's motion.

The motion was addressed to Justice Black since the supreme court is in summer recess and in such a case matters of urgency are addressed to the justice representing the circuit from which the appeal originates.

# SCHOOL CLOSING DECLARED FOLLY

## 'Save Our Schools' Critizes Proposal

It would be folly for New Orleans to "imitate" Prince Edward county, Va., by closing public schools and creating a private school system, Save Our Schools spokesmen said Wednesday.

Richard P. Adams and Katherine S. Wright, spokesmen for the group's public information committee, commented on a suggestion made at a meeting of the Citizens Council of Greater New Orleans.

The spokesmen said the Prince Edward county private school system is not adequate, is expensive and has been forced, by difficulties, to adopt measures which may be illegal.

Differences in the size and character of Prince Edward county and the city of New Orleans were mentioned by the committee.

**ONLY HALF ATTENDING**

The committee's spokesmen said: "Of the somewhat more than 3000 pupils attending public schools before closing (in Prince Edward county), less than 1500 are now attending private schools.

"If the same thing should happen in New Orleans, approximately 50,000 school-age children would be out of school. The implications of this, in dleness, delinquency and crime are appalling."

The problem, brought on by resistance to school desegregation orders of the federal courts, is vastly larger and more complicated in New Orleans, the committee noted.

"But even in Prince Edward county the financial problem is causing difficulties," said the spokesmen.

**BUDGET IS CUT**

"The proposed public school budget for this year is more than $800,000, whereas the private school budget is only $305,000. When the public schools were closed, the county property tax was lowered from $3.40 per $100 of assessed valuation to $1.60. This year, however, the rate is going up to $4. Taxpayers will be paying almost 20 per cent more money for the education of less than half as many pupils."

The committee advised that public school buildings and all their equipment have stood idle since Prince Edward County schools were closed.

Prince Edward County is a small, rural community with a basically agricultural economy. New Orleans, on the other hand, depends on commerce and industry and a highly trained labor force, the committee said.

**SAY CLOSING NOT SOLUTION**

In two communities more similar to New Orleans—Little Rock, Ark., and Norfolk, Va.—school closing had been tried and abandoned, said the Save Our Schools group.

In Prince Edward County, because of financial difficulties in operation of a private school system, efforts are being made to get grants from the state and county, to embrace the private school teachers in the state pension plan and other aids, all of which the committee feels would be attacked in the courts.

The Save Our Schools organization contends that "it is very unlikely that we can solve our problems" by closing public schools.

The Save Our Schools board on Wednesday took issue with a statement of Louisiana attorney General Jack P. F. Gremillion that school board president Lloyd Rittiner's "jitters" lead to "uncertainty."

**GREMILLION 'UNCERTAIN'**

Said the SOS board, "The only uncertainties in the case are what Mr. Gremillion intends to do and what effect it will have."

The board said there are two certainties in the school desegregation order effective in September. They are, said the board:

"(1) The federal court order that the first grade will be integrated in September stands, and if the schools are opened without the first grade being integrated, whoever is responsible for the opening may be held in contempt of court or may be enjoined from further operation of the schools; and,

"(2) A state court cannot stay a federal court order when a question of constitutionality is involved."

## Supreme Court Appeal Denied

# N.O. Schools Must Integrate Or Close

New Orleans - (ANP) - New Orleans public schools will either be integrated or closed in September, Lloyd J. Rittiner, president of the Orleans Parish school board said last week.

Rittiner's comment came shortly after U. S. Supreme Court Justice Hugo Black in Washington refused to block the integration order pending another appeal to the U. S. Fifth Circuit Court of Appeals. The board sought to delay the order until the appeal is heard.

**"The people of New Orleans will have to accept the fact that the schools will either be integrated or closed in September,"** Rittiner said, in commenting on Justice Black's action.

**It was the third denial of a temporary stay.**

**Gerad A. Rault, special board attorney, said the motion for a delay to Justice Black was the "last and final" request that could be made by the board.**

**Under a law passed during the recent legislative session, the governor is authorized to closed all schools in the state in the effective date of a court order requiring racial mixing of any school.**

# Cites Need For Keeping Schools Open

Among the many responsible organizations, now taking a "stand" on keeping the public schools open was the Family Service Society.

In a letter to the members of the Orleans Parish School Board, the representatives and senators for Orleans, Jefferson and St. Bernard Parishes, and Governor Davis, the stand of Family Service was clearly stated thusly:

**"In behalf of the board and staff of the Family Service Society I am writing to urge that you make every effort possible to maintain our public education system and to prevent the public schools from closing."**

**"The primary purpose of the Family Service Society is to preserve and strengthen the family as the basic unit of society. As a part of this, and in accordance with our by-laws, it is appropriate for the Family Service Society to engage in social welfare action to prevent social conditions which would have a harmful effect on families and their members. It is our strong conviction that never has there been a matter of such deep concern and urgency as the present threat to the continuance of our public schools."**

**"An ongoing public education system is essential and basic for family stability and the development of children who will eventually be parents and citizens. Our public education system with its many special services for children and parents provides a major program for mental health. The principle that every child has a right to an uninterrupted education is basic to the democratic, American way of life."**

**"The loss of a community service program so widespread and basic as our public education system will have a detrimental effect, economically and socially, on everybody. One inevitable outcome will be widespread juvenile delinquency. Once interrupted, many children will lose the opportunity to complete their educational plans. Many children will lose the opportunity to qualify for college entrance. This loss to society as well as to the individual is of special concern considering our present difficulty in keeping up with the rest of the world as far as science and technology are concerned."**

**"We do hope that you will do everything within your power to avert this incalculable disaster."**

Mrs. Raymond H. Kierr is president of the Family Service Society.

# Davis to Fight Integration

BATON ROUGE, La., May 16 (AP).—Jimmie Houston Davis became the 41st Governor of Louisiana Tuesday in ceremonies that ended the tragic, colorful term of Earl K. Long.

The 58-year-old country music singer vowed in a brief inaugural talk to make a stubborn stand against racial integration.

"We will preserve segregation," he promised. "We will maintain our way of life without compromise, without prejudice, without violence.

"We will solve our problems on our own terms without interference from those outside our borders."

Earl Long, already making sounds as if he plans to run again in four years, rode with Governor Davis in the inaugural parade. He stole much of the attention of some 10,000 persons attending the ceremony on the steps of Louisiana's skyscraper Capitol, and of the thin lines of spectators along the parade route.

Wearing a spectacular polka-dot vest, former Governor Long waved blue and red bandanna handkerchiefs and appeared to be enjoying himself immensely.

The relaxed, county fair air of the inaugural was heightened by the informality of the spectators, the beauty queens and the college and high school bands blaring "You Are My Sunshine," a song written by Governor Davis.

board's request for a stay of federal district Judge J. Skelly Wright's order to integrate.

Concutring in the decision were Judges Elbert Parr Tuttle and John Minor Wisdom. Judge Ben F. Cameron dissented.

The ruling merely said the request to delay Judge Wright's order "had been considered and denied."

Gerard A. Rault, special attorney for the school board, said he had no comment on the ruling.

Judge Wright's May 16 ruling ordered desegregation of the public schools, on a first grade level, when the fall term begins next September.

# New Orleans Loses Another Battle Round

NEW ORLEANS — (ANP) — The Orleans parish school board has lost another round in its fight to stave off integration in September.

The United States fifth court of appeals denied the

# Judge Sees Mix Chaos

NEW ORLEANS (AP)—Integration in the public schools here would bring harm to everybody—the children, the parents and teachers of both races, and to the entire community, Judge Ben Cameron of the U. S. Fifth Circuit Court of Appeals said Saturday in making public his lone dissension to a decision denying a desegregation delay.

U. S. District Judge J. Skelly Wright has ordered an end to segregation, starting in the first grade when school opens in the fall. The school board asked for a delay in the order, but the appellate court majority of two upheld Wright.

Cameron, in his dissenting opinion, said the 14th Amendment does not require integration. It prohibits state action depriving any person of life, liberty or property without due process of law. And it guarantees the equal protection of the laws to any person.

Cameron said Judge Wright did not have proof anyone had been denied the equal protection of the laws.

If any of the 6,900 Negro first graders are integrated with white pupils, "nothing but chaos could result," Cameron said.

The public school system has about 41,000 white pupils and 50,000 Negroes.

Appellate Court Justices John Minor Wisdom and Elbert P. Tuttle gave the majority opinion Thursday.

# More Desegregation Is Ordered In Louisiana

NEW ORLEANS (ANP) — Federal District Judge J. Skelly Wright, who recently ruled that the Orleans parish school board should start its desegregation program next September in the first grade, last week ordered the boards in East Baton Rouge and St Helena parishes (counties) to desegregate with all deliberate speed.

He also ordered six trade schools, which only receive white children now, to desegregate.

The six schools are: Southwest trade school, Crowley; St Helena parish trade school, Greensburg; Sowella vocational-technical school, Lake Charles; T. H. Harris trade school, Opelousas; Shreveport trades school, Shreveport.

He did not set a definite date for the desegregation process, but instead ordered the integration to start "after such time as may be necessary to make arrangements for admission of children to such schools on a racially non-discriminatory basis with all deliberate speed."

# Race Edict Given In New Orleans

## School-Desegregation Order Conflicts With Louisiana Law

© New York Times News Service

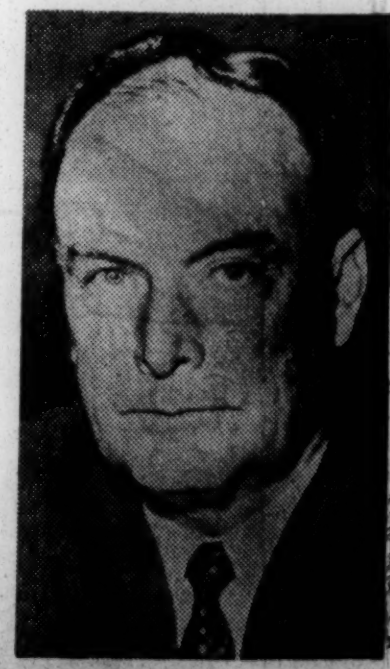
New Orleans, May 16.—Federal District Judge J. Skelly Wright Monday set September as the deadline for the desegregation of this city's schools.

In an unprecedented move, he also outlined a grade-a-year desegregation plan to be followed by the Orleans Parish (County) School Board.

The order came less than 3 hours after the board had filed a formal refusal to present a desegregation proposal of its own as directed by Judge Wright.

The order posed a threat to the continuation of public schools here because of the conflict with Louisiana's anti-integration law. And it seemed likely that this city would be the first in the Deep South to choose between compliance and closing its schools.

The District Court's action may also lead to the desegregation of the Roman Catholic parochial system here. The Most Rev. Joseph Francis Rummel, Roman Catholic archbishop of New Orleans, has said that the parochial schools would be desegregated "no later than" the public schools.



Associated Press Wirephoto

**JUDGE J. SKELLY WRIGHT**
**Gives desegregation order**

Wright noted that the Parish School Board had been told to desegregate "with all deliberate speed" on February 15, 1956.

His order provides:

All children entering the first grade may attend either the formerly all-white public school nearest their homes, or the formerly all-Negro public schools nearest their homes at their option.

Children may be transferred from one school to another, provided such transfers are not based on consideration of race.

# New Orleans: Parish Public Schools Desegregation Decreed

NEW ORLEANS, La. (AP) — U.S. Dist. Judge J. Skelly Wright Monday ordered Orleans Parish public schools desegregated next September.

Wright's order came after the school board failed to submit a plan for desegregation by the deadline he had set.

All children entering the first grade may attend either the formerly all white public school nearest their home, or the formerly all-Negro public school nearest their home, at their option, his order said.

Children may be transferred from one school to another, provided such transfers are not based on consideration of race.

Counsel Gerard Rault of the board said the board did not submit a desegregation plan because it "believed that it does not have the right to do so" under state law.

When Wright issued the desegregation plan order in July, 1959, he suggested that integration begin with the first grade the first year, progressing each year until all grades are included.

Rault asked earlier that the order be vacated and set aside on grounds that the constitutionality of Act 319 of the 1956 Louisiana Legislature has not been decided. That law gives to a legislative committee the right to designate which schools shall be all white and which shall be all Negro.

Wright told Rault earlier that he would hold none of the board members in contempt if they did not submit the desegregation plan.

Rault contended that the matter should be delayed "because it is of such vital importance to the citizens of New Orleans and the State of Louisiana."

**ORDERS NEW ORLEANS SCHOOL DESEGREGATED**—Federal District Judge J. Skelly Wright is shown in his chambers in New Orleans Monday after he ordered the Orleans Parish (county) public schools desegregated in September. The order came after the parish school board failed to submit a desegregation plan claiming state law did not give them the right to do so. Judge Wright's plan starts at the first grade level taking in another grade each year.

# NO INTEGRATION PLAN--PRELATE

## Statement Is Issued by Archbishop Rummel

No definite plan of integrating Catholic schools is anticipated "at the moment," Archbishop Joseph F. Rummel said Thursday.

The archbishop has not yet set a definite date for the integration of Catholic schools.

These comments from the archbishop were contained in a statement from the chancery issued in connection with a letter by four Negroes asking that Negro students be admitted to a new Christian Brothers high school scheduled to open in September.

The letter referred to conferences which the four Negroes had with the archbishop and claimed to have asked Rummel to admit "above average Negro students" in the Catholic high school.

**'NO DEFINITE PLAN'**

The chancery statement said that "the issue was discussed by a competent committee with the result that the students in question could not be admitted since no definite plan of integrating Catholic schools was at the moment anticipated."

The chancery statement said: "The archbishop has given no intimation . . . that Catholic schools would definitely be integrated in September, 1960. What he stated (last July) . . . still holds, namely that 'as far as the parochial school system is concerned, integration will come at the earliest possible opportunity and definitely that time will not be later than when the public schools are integrated.'"

**'GREAT PROGRESS'**

The archbishop called attention to "great progress" made in eliminating discrimination and segregation in Catholic churches, public religious gatherings and outdoor Masses.

A group of about 15 parents, identifying themselves as parents of Catholic schoolchildren, held anti-integration signs at the entrance to the chancery grounds Thursday afternoon.

They said they belonged to no organization but wanted to show their feeling about the issue.

Traffic slowed on S. Carrollton ave. as drivers looked over to read the placards. Two policemen stood nearby; but the protest was a peaceful one.

# Louisiana Judge Delays Ruling

## Temporary Stay On Orleans School Board Denied—Hearing Friday

By United Press International

NEW ORLEANS, July 25. — Civil District Judge Oliver P. Carriere Monday denied state Atty. Gen. Jack Gremillion a temporary restraining order preventing the Orleans Parish School Board from integrating first grades in September.

Gremillion sought the restraining order to keep the school board from taking any action until the court hears a request for a temporary injunction against any change in the city's system of classifying Negro and white students.

The hearink on the injunction petition is set for Friday, July 29.

**No Urgency Seen**

"The court is of the opinion that no immediate and irreparable injury, loss or damage will result to the applicant (Gremillion) before notice can be served and a hearing had on the application for a preliminary injunction," Judge Carriere ruled.

However, the judge said his ruling Monday was not to be construed as having any bearing on whether the injunction should be issued.

Monday's action put off Gremillion's attempt to keep the New Orleans School Board from doing anything to carry out a Federal Court integration order until the July 29 petition asking for the petition can be heard. A Federal Court order by District Judge J. Skelly Wrikht has directed the school board to integrate first grades in September.

**Injunction Filed**

Gremillion's petition for the injunction was filed earlier Monday. It seeks to prevent the school board from "either affirmative or negative action" toward racial integration of New Orleans Public Schools. The petition names the Orleans Parish School Board members collectively and individualy as defendants.

The injunction petition is based on 1956 and 1960 state laws which reserve to the Legislature the right to classify schools according to race.

# New Orleans Schools Face Fall Mixing

NEW ORLEANS (AP) — New Orleans public schools will either be integrated or closed in September, Lloyd J. Rittiner, president of the Orleans Parish (county) school board, said Tuesday.

Rittiner's comment came shortly after U.S. Supreme Court Justice Hugo Black in Washington refused to block the integration order pending another appeal to the U.S. Fifth Circuit Court of Appeals. The board sought to delay the order until the appeal is heard.

"The people of New Orleans will have to accept the fact that the schools will either be integrated or closed in September," Rittiner said, in commenting on Justice Black's action.

**FALL INTEGRATION**

He called the denial of the stay "further proof of the fact that the supreme court is determined to see schools in New Orleans integraged in the fall."

Rittiner said he was disappointde over Justice Black's decision but felt it was "consistent with the attitude of the supreme court on integration."

It was the third denial of a emporary stay. The board's first request for a temporary delay was denied by U.S. District Judge J. Skelly Wright in New Orleans.

**PUBLIC SCHOOLS**

Judge Wright last May 16 ordered integration of the first grades in the city's public school system effective Sept. 6.

A second motion for a stay was denied by the fifth circuit court of appeals.

Gerard A. Rault, special board attorney, said the motion for a delay to Justice Black was the "last and final" request that could be made by the board. He said the next step could only be to file a motion for an emergency session of the circuit court to hear the pending appeal.

Under a law passed during the recent legislative session, the governor is authorized to close all schools in the state in the effective date of a court order requiring racial mixing of any school.

However, Gov. Jimmie H. Davis has indicated steps will be taken to keep Orleans Parrish schools open on a segregated basis despite the federal court ruling.

# TEMPORARY ORDER ON SCHOOLS DENIED

Times Picayune, New Orleans, La.

## Hearing on State Anti-Mix Suit Set Friday

Tues. 7/26/60

A temporary order restraining the Orleans parish school board from proceeding with integration of the public schools was denied late Monday in civil district court.

Judge Oliver P. Carriere, before whom the matter is being heard, has set the issue for hearing on application of the state for a preliminary injunction for 10 a. m. Friday.

**Judge Carriere in his decree stressed:**

**"The refusal to issue the temporary restraining order is not to be construed as having any bearing on the question of whether or not a preliminary injunction should be issued."**

The suit was brought by the state, through Attorney General Jack P. F. Gremillion, who said that he was acting in full concert and accord with Governor Jimmie H. Davis, against the Orleans parish school board.

### INITIAL STATE MOVE

It was the first legal move in the heralded campaign by the state to prevent integration of schools here as ordered by United States Judge J. Skelly Wright.

The federal judge on May 16 ordered the city's schools desegregated at the first-grade level.

**In his reasons for judgment Judge Carriere set forth: "The Orleans parish school board has ordered the superintendent of Orleans parish schools to prepare three plans. These plans are as follows:**

"To study and make proposed plans for the integration of the schools in accordance with the order of the U. S. District Court, dated May 11, 1960, in the case of Bush vs. Orleans parish school board.

"To study and make plans for the operation of the schools on a segregated basis.

"To study and make plans for the administrative procedure if the public schools are closed."

### SEES NO DANGER

After citing the statute under which a restraining order is issued, Judge Carriere said:

**"The court is of the opinion that no immediate or irreparable injury, loss or damage will result to the applicant before notice can be served, and a hearing had on the application for a preliminary injunction."**

Gerard Rault, special counsel for the school board, notified that the suit had been filed Monday, appeared in court and, at the suggestion of Gremillion, Rault told Judge Carriere of the instructions that had been issued to the school superintendent, relative to the study of three proposed plans for the school system.

George A. Dreyfous, a panel attorney of the American Civil Liberties Union, and A. P. Tureaud, attorney who has represented New Orleans Negroes during eight years of fighting for integration here, appeared in court Monday and asked permission to be heard as "friends of the court." Their requests were granted by Judge Carriere.

### EXPLAINS STATUS

"The people of New Orleans," Dreyfous said, "have a grave interest in their schools. It would be a disaster to have the schools closed." The speaker explained to news representatives, but not to the court, that he was not appearing for the civil liberties group. He made no mention to the court of his affiliation with the American and the Louisiana civil liberties leagues.

"You have been asked," Dreyfous later told the court, "to treat an order of a federal court as a nullity. If you grant this application, you will be disregarding an order of a United States court."

### PENDING SINCE 1952

"This matter," Tureaud said, "has been pending since 1952. There is certainly no great urgency that would warrant issuance of a temporary restraining order."

**Further, Tureaud charged that the action before the court was "an attempt on the part of the state, with some action on the part of the school board, to frustrate the federal court order.**

"The order sought here," Tureaud added, "would be against an agency of the state which has tried to get under the wing of the 1956 statute. The special counsel of the school board is trying to prevent integration. The whole scheme is to frustrate and prohibit enforcement of Judge Wright's order."

The state court suit referred to Act 319 of 1956, and subsequent acts, "wherein the Legislature of the state of Louisiana reserved unto itself, in cities with a population in excess of 300,000 the sole power to classify or change the classification of public schools from all white to any other classification or from all Negro to any other classification."

### ACT UNCONSTITUTIONAL

". . . Judge J. Skelly Wright, on July 1, 1958, entered an opinion wherein he held Act 319 of 1956 unconstitutional, apparently on the ground that the said act as interpreted by said court, provides for classification of schools only for all Negro or all white children and that the act is therefore in violation of the equal protection clause of the 14th amendment of the United States constitution. . ."

### RIGHTS RESERVED

"The Legislature," Gremillion said, in support of his request for a temporary restraining order, "clearly reserves unto itself the right to determine how schools shall be reclassified. The 1960 act, governing the schools, is still more comprehensive. It covers all of the schools.

"The school board has no right to classify pupils."

**Referring to Judge Wright's decisions and orders Gremillion said, "a single judge with a sweep of the hand, and without the state being made a party to the suit, declares an act to be unconstitutional . . . the judge, without being asked to do so, and without action of a three-judge court, as required, held the act to be unconstitutional."**

Emile A. Wagner, member of the school board, was among the numerous spectators, who waited throughout the day to note the proceedings. John P. Nelson Jr., a vice-president of the Save Our Schools Committee, was also among those present during the proceedings.

The attorney general was flanked by his first assistant, George Ponder, and a battery of additional assistants.

### RESTRICTS ARGUMENTS

Judge Carriere on more than one occasion notified counsel that the only matter before him Monday was the application for temporary restraining order, and that no other evidence or testimony would be considered.

The state's petition pointed out that civil district court Judge Alexander E. Rainold had held that the 1956 statute was not an unreasonable exercise of power; that the court of appeal had affirmed that judgment; and, further, that the state supreme court had denied a review of the appeal court decree.

The matter before Judge Carriere, Gremillion said, is an action in which the state seeks an order to prevent an agency of the state from acting beyond the power and authority given to the agency.

—Photo by The Times-Picayune.

**CHECKING OVER THE PETITION which they filed in civil district court Monday to block the Orleans parish public school integration by the school board as ordered by federal court are (from left) Attorney General Jack P. F. Gremillion (center) and assistant attorneys general William Schuler (left) and M. E. Culligan.**

# Negroes File Suit In Attempt To Halt Louisiana Injunction On School Issue

NEW ORLEANS (AP)—Negro attorneys countered with a federal court suit Thursday in an effort to stop the state from preventing integration of the city's public schools next September.

Attorney's A. P. Tureaud of New Orleans and Mrs. Clarence Baker Motley of New York, representing the National Assn. for the Advancement of Colored People, filed the motion.

A hearing on the proposal was set for Aug. 10, but State Civil District Judge Oliver P. Carriere will act Friday on Louisiana's request for a temporary injunction to block such integration.

Attorney General Jack Gremillion asked for the injunction to prevent what he called "immediate and irreparable damage" in the Orleans Parish (county) school board's move to make plans and comply with the order issued last May by U.S. District Judge J. Skelly Wright.

Gremillion claimed the school board lacked authority to reclassify schools from their present segregated basis.

School board attorney Gerald Rault told the court Monday when Carriere refused to issue a temporary restraining order that the board had recommended three plans:

To study and make plans for continance of a segregated school system.

To study and make plans for an integrated school system.

To study and make plans for administrative procedures to close the schools.

Gremillion contended the school board did not even have the right to study such plans. The power to reclassify schools, he said, lies solely with the state legislature.

The motion filed by Tureaud Thursday asked the federal court:

To add Gremillion and Gov. Jimmie H. Davis as defendants in the original suit filed in 1956 against the school board by a group of Negroes seeking admission to white public schools.

To issue an injunction preventing Gremillion from proceeding with the injunction suit he filed in the state court against the school board.

To enjoin Gremillion and Davis from taking any other action to prevent the school board from complying with Wright's integration order.

The school board met Wednesday and instructed Rault not to challenge the court action filed by Gremillion.


# Negroes File Suit In Attempt To Halt Louisiana Injunction On School Issue

NEW ORLEANS (AP)—Negro attorneys countered with a federal court suit Thursday in an effort to stop the state from preventing integration of the city's public schools next September.

Attorney's A. P. Tureaud of New Orleans and Mrs. Clarence Baker Motley of New York, representing the National Assn. for the Advancement of Colored People, filed the motion.

A hearing on the proposal was set for Aug. 10, but State Civil District Judge Oliver P. Carriere will act Friday on Louisiana's request for a temporary injunction to block such integration.

Attorney General Jack Gremillion asked for the injunction to prevent what he called "immediate and irreparable damage" in the Orleans Parish (county) school board's move to make plans and comply with the order issued last May by U.S. District Judge J. Skelly Wright.

Gremillion claimed the school board lacked authority to reclassify schools from their present segregated basis.

School board attorney Gerald Rault told the court Monday when Carriere refused to issue a temporary restraining order that the board had recommended three plans:

To study and make plans for continance of a segregated school system.

To study and make plans for an integrated school system.

To study and make plans for administrative procedures to close the schools.

Gremillion contended the school board did not even have the right to study such plans. The power to reclassify schools, he said, lies solely with the state legislature.

The motion filed by Tureaud Thursday asked the federal court:

To add Gremillion and Gov. Jimmie H. Davis as defendants in the original suit filed in 1956 against the school board by a group of Negroes seeking admission to white public schools.

To issue an injunction preventing Gremillion from proceeding with the injunction suit he filed in the state court against the school board.

To enjoin Gremillion and Davis from taking any other action to prevent the school board from complying with Wright's integration order.

The school board met Wednesday and instructed Rault not to challenge the court action filed by Gremillion.


# Judge Bars Fall School Mix In N. O.

## Rules That State Segregation Act Is Constitutional

NEW ORLEANS, July 29 (UPI)—Judge Oliver P. Carriere today granted Louisiana officials a temporary injunction preventing the Orleans Parish School Board from obeying a Federal court integration order this Fall.

The Civil District Court ruling which apparently gets New Orleans schools officials off the spot regarding integration of first grade classes here in September, was based on a new state law.

Judge Carriere first ruled that state Act 496 does not violate the constitution and then granted the injunction. His decision enjoined the school board from taking any action—either positive or negative—on integration.

Act 496 gives Gov. Jimmie H. Davis the power to take over any and all public schools threatened with integration.

State Attorney General Jack Gremillion said the Federal integration order was directed at the wrong persons. Gremillion said the state Legislature is the sole body with the power to classify Louisiana schools as white, Negro or mixed. The Federal order was issued by U. S. District Judge J. Skelly Wright when the board failed to come up with an integration plan of its own.

Gremillion reportedly asked for the injunction because New Orleans school authorities had started thinking about following the integration order.

However, the board said it merely asked its superintendent to write up three separate courses to follow—to integrate the schools, close them entirely or reopen them on a continued segregated basis.

Gremillion said Judge Carriere's ruling "clarified one of the most pressing problems the state is faced with." He added he is "very pleased" with the decision. School board members attending the quiet, orderly hearing today offered no immediate comment.

Gremillion's motion yesterday prompted NAACP attorneys to file suit in Federal District Court here seeking to stop the attorney general from continuing with the case. A hearing on the NAACP motion has been set for Aug. 10.

# Integration Halted At New Orleans

NEW ORLEANS (AP) — Civil District Judge Oliver Carriere Friday issued an order preventing the Orleans Parish (county) school board from complying with federally directed integration in the city's public schools this September.

Louisiana Atty. Gen. Jack P. F. Gremillion asked for the preliminary writ of injunction to restrain the school board from making any plans to reclassify public schools.

Judge Carriere ruled that his court had jurisdiction over the matter and that Act 496 of the 1960 Louisiana legislature is constitutional.

**MAY SCHOOL ORDER**

The act reserves to the state legislature the sole authority to classify schools.

U.S. Dist. Judge J. Skelly Wright on May 11 directed the school board to desegregate the city's public schools in the first grades when schools open this fall.

Gremillion contended the school board lacked this authority.

Carriere's decision touched on the possible conflict between federal and state courts.

**NO CONFLICT IN ORDERS**

But, citing past cases Carriere ruled "there is no objection to a subsequent action in another jurisdiction, either before or after judgment, although the same issues are to be tried and determined; and this because it neither ousts the jurisdiction or the court in which the first suit was brought, nor does it delay or obstruct the exercise of that jurisdiction, nor, lead to a conflict of authority . . ."

Judge Carriere said that Act 496 provides the machinery for the integration of public schools in Louisiana. He said since the legislature can act with "all deliberate speed" to admit children to public schools "on a racially non-discriminatory basis," the act satisfies "the letter and spirit of the requirement of the doctrine set by the U.S. Supreme Court" in an earlier case.

# New Orleans Studies Bid For Delay Of Court Edict

NEW ORLEANS, La. (AP)—The Orleans Parish School Board was reported Sunday night preparing to ask for a modification in a federal school court order to desegregate public schools here next week.

A three-judge federal court Saturday directed that control of the public schools here be returned to the school board. Gov. Jimmie H. Davis seized control Aug. 17 under one of several laws which the court tossed out.

U. S. Dist. Judge J. Skelly Wright, a member of the special court, last May 16 ordered the board to desegregate the first grade in September. Of the approximately 95,000 pupils, about 7,000 are Negro first graders and 4,000 are white.

Theodore Shepard Jr., one of the five board members, said the board would try to confer with judge Wright this week to seek a one-year postponement in his May order. If this is not granted, Shepard said, the board will ask for a shorter delay so that it can begin integration under the pupil placement plan.

Shepard speaking as an individual, said he felt integration is inevitable.

The board planned to meet Monday to map plans.

At Baton Rouge, the governor's office reported that Davis expected to meet with advisers during the weekend to decide what to do next.

Reaction to the court decision ranged from a statement that chances were good for the schools to reopen to a prediction that Davis would close every public school for the approximately 673,000 pupils in the state.

# Bush Vs. Orleans Parish School Board

**". . . We are all, all of us, free-born Americans, with a right to make our way unfettered by sanctions imposed by man because of the work of God."**
**—Judge J. Kelly Wright**
**Feb. 15, 1956**

The attorney general of Louisiana is reported to have said the state has a secret weapon, "legislate and litigate." Under that policy the New Orleans school case has been inching along in the courts for 8 years. Following are some of the highlights, prepared by the staff of the Southern Conference Educational Fund, Inc.

SEPT. 4, 1952—A group of parents, acting on behalf of 95 children and represented by the N. A. A. C. P., filed suit (Earl Benjamin Bush et al vs Orleans Parish School Board) in the United States District Court for the Eastern District of Louisiana. A decree was asked that segregated schools are a denial of the equal protection clause of the 14th Amendment.

MAY 17, 1954—United States Supreme Court ruled (in Oliver Brown vs Board of Education of Topeka, Kansas) that racial segregation in public schools is unconstitutional.

NOV. 2, 1954—A constitutional amendment was approved which allowed the state to maintain segregated public schools under the police powers of the state. The amendment was implemented by two acts of the 1954 legislature: Act 555 directed the state board of education to withhold approval of any integrated schools; Act 556 required schools superintendents each year to assign every child individually to a particular school, and required new pupils to present a birth certificate showing his or her race.

AUG. 1955—Gerard A. Rault was appointed special counsel for the Orleans Parish School Board to handle all segregation matters. The salary was fixed at $25,000, of which $15,000 was to be paid by the school board and the remainder to be paid by the state from a special grant made August 8th to hire attorneys to fight segregation in public schools.

SEPT. 1955—Suit filed (Dr. William R. Adams et al vs Fred S. LeBlanc, attorney general of Louisiana) attacking the legality of the $100,000 state appropriation. The state's motion for dismissal was upheld in November by District Judge Coleman Lindsay.

FEB. 15, 1956—A three-judge federal court, consisting of Circuit Judge Wayne G. Borah and District Judges Herbert W. Christenberry and J. Skelly Wright, held Louisiana segregation laws unconstitutional. Said the court, the provision in state laws requiring segregation, "in the exercise of state police power does not save them from invalidity."

On the same day, Judge Wright ordered the Orleans Parish School Board to desegregate the public schools of New Orleans with all deliberate speed, and stated: "The problem of changing a people's mores, particularly those with an emotional overlay, is not to be taken lightly. It is a problem which will require the utmost patience, understanding, generosity, and forbearance from all of us, of whatever race. But the magnitude of the problem may not nullify the principle. And that principle is that we are all, all of us, free-born Americans, with a right to make our way unfettered by sanctions mposed by man becauuse of the work of God."

JULY 18, 1956—Governor Earl Long signed Act 319 of the 1956 Louisiana Legislature. Act 319, authored by New Orleans School Board member, Emil A. Wagner, gave the legislature in the case of cities with a population in excess of 300,000 sole power to change the classification of public schools from all-white or all-Negro to any other classification.

Act 613 of 1956 in the form of a constitutional amendment, designed to block suits against school boards by making them state agencies, was approved in the election of November 6th, by a vote of 233,015 to 143,703.

MARCH 1, 1957—Appeals Court turned down the school board's request for a rehearing, but granted a stay, pending appeal to the Supreme Court. On June 17, the U. S. Supreme Court refused to review appellate couurt's rulling Mar 1.

FEBRUARY 15, 1958—The U. S Fifth Circuit Court for the 2nd time affirmed Judge Wright's desegregation order and injunction of February 15, 1956. Previously the case was before the appellate court on its merits; now it was up on a bond posting technicality.

APRIL 16, 1958—The Orleans Parish School Board asked the United States Fifth District Court to dismiss the case and invoked Act 319 of 1956.

MAY 26, 1958—The United States Supreme Court ruled that the preliminary injunction should not be thrown out because of a bond posting technicality. The court upheld the Fifth Circuit Court ruling of February 19th.

JULY 1, 1958—Judge Wright held Act 319 of 1956 unconstitutional apparently on the ground that as interpreted by the court, the Act provided only for all-white or all-Negro schools and so violated the 14th Amendment.

AUG. 4, 1958—The Attorney General, on behalf of the state filed suit in civil district court asking for a declaratory judgment to declare Act 319 gave the state legislature authority to classify public schools as "mixed" or "integrated"

OCT. 23, 1958—Judge Wright issued a final decree ordering the school board to destgregate the schools with all deliberate speed

The day before Judge Wright had denied the school board a rehearing or stay of further action on the preliminary order. The school board based its request on the ground that the Louisiana Supreme Court had not acted on the constitutionality of Act 319 of 1956.

Said Judge Wright: . . . "The fact remains that Act 319 is unconstitutional on its face." Headlines announced optimistically,

"NEW ORLEANS CASE DECIDED AFTER SIX-YEAR BATTLE"

JULY 16, 1959—Judge Wright ordered the Orleans Parish School Board file a plan to desegregate by March 1, 1960; later changed to May 16th.

MARCH 15, 1960—Act 319 of 1956 was upheld in the state court of appeals. Judge Richard T. McMcBride, of the Orleans Parish Court of Appeal, ruled that the state legislature had the exclusive right to designate public schools as "mixed" or "integrated," or as all white or all Negro.

The appellate court affirmed a trict court by Judge Alexander E. decree handed down in civil dis-Rainold. The Supreme Court of Louisiana refused writs in this case on March 31, 1960.

MAY 16, 1960—The Orleans Parish School Board having refused to file a plan for desegregation, Judge Wright presented his own plan as follows: On the opening of the schools on September 8th, (a) all white school nearest their homes, or formerly all-Negro public schools nearest their homes, at their option; (b) children may be transferred from one school to another, provided such transfers are not based on consideration of race.

Judge Wright ruled again that Act 319 of 1956 was unconstitutional.

MAY 31, 1960—The school board appealed the order by Judge Wright of May 16th and asked for a stay of execution from the Fifth Circuit Court of Appeals. Three days later (June 2nd) the Court of Appeals refused in a 2-1 decision, Judges Elbert Parr Tuttle and John Minor Wisdom concurred in the decision and Judge Ben F. Cameron dissented. Appeals Court upheld Judge Wright's decision that Act 319 of 1956 was unconstitutional.

JULY 12, 1960—Gerard A. Rault, special counsel for the Orleans Parish School Board asked associate Justice Hugo L. Black of the U. S. Supreme Court to delay the execution of the order by Judge Wright. One week later, July 19th, Justice Black refused.

JULY 28, 1960—The N A A C P filed suit in federal court asking for an injunction to enjoin (1) the attorney general from proceeding with a suit filed July 25th in civil district court against the school board, decded on the 29th in favor of the state: (2) the attorney general "from enforcing against the Orleans Parish School Board any order or injjunction which may be issued in said action;" (3) the attorney general and Governor Jimmie H. Davis "from taking any other action or issuing any order, or instituting any other proceeding" to prevent the school board from complying with Judge Wright's order. (Hearing set for Auguust 24th).

JULY 29, 1960—Judge Oliver P. Carriere in civil district court acting under Section IV of Act 496 of 1960, which he held to be constitutional, granted a preliminary injunction restraining the Orleans Parish School Board from taking any action in compliance with the federal court order to integrate the schools.

The suit was filed July 25th by the Attorney General, Jack P. F. Gremillion. Act 496 gives the Governor authority to close any par-

ish school system ordered to integrate by federal courts, and to close all of the schools in the state.

AUG. 16, 1960—Governor Jimmie H. Davis and Attorney General Jack P. F. Gremillion were named defendants in the New Orleans school case by Chief Judge Richard T. Rives of the U. S. Circuit Court of Appeals, on a motion by the NAACP.

AUG 17, 1960—Governor Davis, acting under Act 496 of 1960, assumed control of New Orleans schools, superseding the Orleans Parish School Board. He designated Superintendent of Schools, James F. Redmond, to operate the schools as his deputy.

AUG. 17, 1960—A group of 31 parents filed a suit (Williams et al v. Davis, Governor of Louisiana et al) to prevent the closing of the schools. A hearing in this case, consolidated with the July 28 motion of the NAACP for an injunction was set for August 26th.

Like the NAACP motion, the parents sought to restrain the Governor and Attorney General from interfering with the integration of the first grade. If the motion was denied, t was requested that the city be given an additional year in which to plan for integration.

AUG. 25, 1960—Governor Davis, in a state-wide TV report, asked all New Orleans parents to "register their children this year in the schools where they belong." He added: "I am of the firm conviction that our schools will continue to operate this term and that they will be segregated."

AUG. 26, 1960—A three-judge federal court, (Richard T. Rives, Chief Judge, . S. Court of Appeals, Fifth Circuit; Herbert W. Christenberry, Chief Judge, . S. DiDstrict Court, Eastern District of Louisiana; and J. Skelly Wright) took under advisement a ruling in the two suits designed to prevent state interference with integration of New Orleans schools.

Early in the hearing, Attorney General Gremillion, stormed angrily out of the court room. He accused the 3 judges of "riding over us roughshod" and in the corridor referred to the court as a "den of iniquity," and a "kangaroo court."

AUG. 27, 1960—In the above cases, the 3-judge court in a unanimous decision granted a temporary injunction, declared all Louisiana segregation laws invalid, and:

1. Restrained Governor Davis and others "in concert with him," Attorney General Gremillion and Superintendent Redmond, from enforcing such acts and "from otherwise interferring with the operation of the public schools."

2. Took the control of the public schools away from the Governor and returned it to the school board.

3. Ordered compliance with Judge Wright's May 16th ruling to desegrate the first grade.

4. **Restrained Judge Carriere** from enforcing his July 29th injunction.

5. Restrained State Treasurer A. P. Tugwell, from denying school books, lunches and funds to any publil school because of desegregation.

6. Cited Attorney General Gremillion for contempt.

In striking down the segregation laws, the jjudges stated: "It being the opinion of this court that all Louisiana statutes which would directly or indirectly require segregation of the races in the public school for the Parish of Orleans, or authorize the closure of such schools, or deny them public funds, because they are desegregated, are unconstitutional. . ."

The court cited in particuler Acts 333, 495, 496, 543 of 1960; 256 of 1958; 319 of 1956; and 555 of 954.

Aug. 30, 1960—On motion of the school board, Judge Wright postponed the effective date of his desegration order from September 9th to November 14th. The Judge stated he was "impressed by the sincerity and good faith of the board." His order was opposed by the NAACP.

# DA who irked federal court found guilty

NEW ORLEANS, Oct. 7—(AP)—U. S. Dist. Judge Edwin Hunter today found Louisiana Atty. Gen. Jack Gremillion guilty of contempt of a federal court hearing last August.

Hunter said Gremillion's actions in which he called the three-judge court a "den of iniquity" and a "kangaroo court" constituted misbehavior and contempt so as to obstruct justice.

HUNTER, SUSPENDED a 60-day sentence and placed Gremillion on 18 months of unsupervised probation.

"The only condition of this probation is that Mr. Gremillion conduct himself as I know he will, as he has in the past, in accordance with the ethics of the American Bar Assn.," Hunter said.

**The judge termed Gremillion "a fighter, and the world loves a fighter, but I believe he has fought out of bounds."**

Dist. Atty. Albin Lassiter of Ouachita Parish and State Rep. Wellborn Jack of Cado Parish defended Gremillion. Mississippi Atty. Gen. Joe Patterson and Alabama Asst. Atty. Gen. Nice Hare appeared as friends of the court in Gremillion's behalf.

JACK CONTENDED that Gremillion's action before the three judges on Aug. 26 in the case involving integration of New Orleans schools "were not premeditated," but rather the "result of the heat of battle."

U. S. Atty. M. Hepburn Many called three witnesses to substantiate the contempt charges against the stocky attorney general.

**One of them, Reporter Bernard Rotman, testified he heard Gremillion say: "I cannot stay in his den of iniquity," and added he later heard Gremillion term the proceedings "a kangaroo court."**

Earlier this month, Hunter denied a request for a jury trial for Gremillion, saying that the U. S. Constitution does not require one for criminal contempts.

Gremillion objected to proceedings during a hearing on motions asking that Gov. Jimmie Davis and state officials be restrained from blocking an integration order. He walked out of the court after Judge Richard T. Rives told him to be more respectful of the court.

# Pupil Placement Plan To Be Used

NEW ORLEANS (AP) — Dr. James Redmond, New Orleans public school superintendent, was authorized today to use the Louisiana pupil placement law in processing applications which would integrate schools at the first grade level.

The city's public schools must, by federal court order, desegregate the first grade on Nov. 14, the end of the first quarter of the elementary school calendar.

The board has 199 applications for first grade transfers: 135 Negroes wanting admission to white schools, one white pupil asking transfer to a Negro school, 46 white pupils seeking another white school, and 17 Negroes asking transfer to another Negro school. Their names were not disclosed.

The city's 65 white elementary schools have an enrollment of 3,335 pupils. There are 6,482 pupils in the 53 Negro elementary schools.

The board voted Monday night to use the pupil placement system after board member Matthew Sutherland said it was the only Louisiana segregation act which had not been declared unconstitutional.

The law, enacted in 1960, was a refinement of the 1958 act copying the Alabama pupil placement law which has not been declared invalid.

**SPECIAL BOARD MEETING**

Dr. Redmond said detailed plans to process the application could be done within a matter of days. Lloyd Rittiner, school board president, said a special board meeting will be called to study the plans when they are ready.

The pupl placement law lists 17 criteria to regulate transfers. They include such factors as the amount of space in the school, home environment, morals of the pupil, the possibility of disorder, and whether transportation is available.

The pupil placement law was approved by all four of the board members at the meeting. Emile A. Wagner Jr., the fifth member, was absent. He has strongly opposed any move toward desegregation.

# 135 New Orleans Negroes Seek White School Entry

NEW ORLEANS (AP) — President Lloyd J. Rittiner of the Orleans Parish (county) School Board said Monday 135 Negro children have applied for admission to first grades in white schools next month.

The Board is under federal court order to admit Negro students to previously all-white schools starting Nov. 14.

Rittiner said the 135 Negro children were among 199 first grade students applying for transfers from one school to another.

He said the board would decide on what plan it will ask the staff to use in placing the children requesting transfers.

Aside from the 135 Negro children asking transfers, Rittiner said one white child request transfer to a Negro school.

The deadline for applying for a transfer was midnight last Friday, Rittiner said.

"No child, Negro or white, will be admitted to a school for which they are not suited," he said. "The board, above all, wants to maintain its existing standard of education."

Rittiner said that although the number of applications was slightly more than anticipated, it was "not much more than usual in any school year."

There have been reports that Louisiana's pupil placement law would be used by the board in placing the Negro children in white schools.

It is modeled word-for-word on an Alabama statute which has been declared constitutional.

The law, in part, sets up criteria which deals with the "possibility or threat of friction or disorder" caused by admission of the pupil, and the effect of his admission on established social and psychological relations with other pupils and students.

14d(1) 1960

LOUISIANA

# YMBC Opposes Mixed Schools

## Group Prefers Closure to Integrated Classes

The Young Men's Business Club Wednesday, after a heated period of debate for more than an hour-and-a-half, passed a resolution which recommended closing the public schools of New Orleans rather than have them remain open on any integrated basis.

The vote, by hand count, was recorded at 51 in favor and 41 opposed.

According to YMBC president Paul Ramos, a similar resolution passed July 6 by the membership, but without the "closing of the schools" phraseology, was passed by a 77 to 25 vote. Ramos added, however, that at least two votes favoring the July 6 resolution were cast by non-members.

Wednesday's resolution was one of seven introduced to the membership, the first two of which were tabled, the third "killed," and the fifth through seventh were left "hanging" as all voting action at the end of the meeting, which lasted until 2:05 p. m., was based on the fourth offered resolution.

The resolution, in full, read as follows:

"Whereas, integration is but one phase of the much greater problem of maintaining some semblance of a decentralized government; and

"Whereas, the entire operating budget of the Orleans parish school board comes from City and State funds and miscellaneous non-federal funds; and

"Whereas, the Young Men's Business Club of Greater New Orleans has repeatedly avowed its stand defending the sovereignty of the states and opposing the further centralization of the federal government as that would inevitably lead to socialism, and has frequently expounded its belief in home rule and free enterprise; and

"Whereas, Gov. Jimmie H. Davis and Attorney General Jack P. F. Gremillion by their present line of action are pursuing the principles of the YMBC and those of the founders of our country,

"Therefore, we, the Young Men's Business Club of Greater New Orleans, do hereby commend Gov. Davis and Attorney General Gremillion for their staunch and valiant stand in this matter and do reaffirm our faith in the righteousness of our state's position; and

"Be it further resolved that we, the members of the YMBC, oppose integration of the New Orleans public school system whether partial or complete and in keeping with our wish to place principle above monetary interest, recommend that the New Orleans public schools be closed rather than integrated."

The July 6 resolution similarly stated the support in principle of the stand by Gov. Davis, Gremillion and the present state administration in its fight against integration of public schools.

## INTEGRATION PRAYERS

New Orleans Catholics Told to Observe Day Today

NEW ORLEANS, Aug. 20 (UPI) — Archbishop Joseph Rummel instructed all Roman Catholic churches in New Orleans tonight to hold a day of prayer tomorrow for integration of the city's public schools.

The archbishop, in a letter to be read at all Catholic services tomorrow, ordered a day of prayer asking for "an early solution of the race problem in our midst and to bring about a propitious response to the challenge for compliance with the ruling on the integration of our public system of education."

The letter says that "in principle we are committed to the racial integration of our Catholic schools for reasons which have been repeatedly set forth in letters addressed to the clergy and laity of the archdiocese in past years."

The New Orleans parochial school system is segregated.

## Parents School Memo Clarified

The New Orleans branch of the National Association for the Advancement of Colored People, has issued instructions to parents concerned with enrollment of first-grade children.

Arthur J. Chapital Sr., branch president, said Wednesday the instructions were issued assuming that all public schools will be reopened here as usual Sept. 8, 1960, and with the expectation that in compliance with orders from federal Judge J. Skelly Wright all first grade children regardless of race are to attend schools in their respective districts."

Chapital said: "The NAACP directives emphasize that parents should have for their children valid birth records, diphtheria immunization and vaccination for smallpox certificates. Moreover there must be available to submit to school principals and or teachers the census information data. This includes names, home and business addresses and occupations of parents and or guardians; names, dates of birth and schools that other children under 19 in the family are now attending."

Wednesday it was inadvertently reported that the Chapital urged compliance with requirements of the registration procedures set out for new students by school Supt. James F. Redmond.

# Louisiana Official Hits Court in Schools Case

NEW ORLEANS, Aug. 27 (AP).—Federal judges yesterday refused to halt intaegration of Houston, Tex., public schools and took under advisement motions to nullify Louisiana's school segregation laws.

In separate proceedings, the Houston action was without incident, but in the Luisiana case, the State's attorney general, Jack P. F. Gremillion, stormed out of the courtroom after referring to the Federal tribunal as "a den of iniquity."

Here are the three cases handled:

1. The Houston School Board asked the Fifth Circuit Court of Appeals here to hold up integration of Houston schools until the court could rule on the school board's appeal. U. S. District Judge Ben Connally had ordered integration there in the first grade when school starts September 7. He also ordered Houston to proceed with integration at a grade a year. Chief Judge Richard T. Rives and Judge John Minor Wisdom of the Appellate Court here refused to hold Judge Connally's ruling in abeyance until the Appellate Court could rule on the case itself.

### Governor Seized Schools

2. In New Orleans, the National Association for the Advancement of Colored People sought to restrain Louisiana Gov. Jimmie Davis from interfering with the operation of the public schools of New Orleans. Gov. Davis has seized the schools from the school board and announced they would open September 7 on a segregated basis.

United States District Judge J. Skelly Wright has ordered New Orleans schools to integrate a grade a year, beginning with the first grade. Recent State legislation permits the Governor to take over any or all schools if integration is forced. The NAACP, headed by its general counsel, Thurgood Marshall of New York asked a Federal tribunal to grant an injunction against Gov. Davis and Mr. Gremillion.

This plea was taken under advisement by Judge Wright, Judge Rives and United States District Judge Herbert W. Christenberry. Judge Wright and Judge Christenberry are natives of New Orleans; Judge Rives, of Montgomery, Ala.

3. The same judges are studying another motion in which 31 white parents of New Orleans asked that Gov. Davis by restrained from preventing the New Orleans School Board from complying with Federal orders for integration.

Counsel for the parents of-

**Louisiana Attorney General Jack P. F. Gremillion storms out of integration hearing in New Orleans Federal Court after the three judges presiding overruled his objections to introduction of affadavits from 31 white parents.—AP Wirephoto.**

**Denounces Court**

fered some affidavits in evidence and the court accepted th... Mr. Gremillion objected tha... he had not been given ad... vance notice, and he charged that ... constitutional rights were vi... ted.

"You can't tell what's going to come out of those fellows. They are psychologi-serve his objections; suggested is only 11 day away the judges may be." that the attorney general make have promised an early ruling Negroes are his objections "in a manner on both Louisiana cases. more respectful to the court."

Then he said: "Negroes are told Mr. Because the deadline for the

Storming into the corridor, running the country." Judge Rives, who told newsmen, Mr. Gremillion

# WHITE SCHOOLS SHOW DECREASE

## Elementary Grades Attenance Down 2610

Registrations in white public schools of New Orleans were down 3008 from 40,498 last September to 37,490 as of this week.

**The decrease was relatively small in the junior and senior high schools, but considerable in the elementary schools—the drop being from 24,426 to 21,816.**

Along with the over-all decrease of six per cent in white registrations was a four per cent increase in registration of Negro children—from 49,121 last year to 51,113 this year, a gain of 1992.

Over-all registrations, including all public schools, white and Negro, totaled 88,603 this September as compared with 89,619 last year, a decrease of 1016, or 1.1 per cent.

**DECREASES GENERAL**

The corresponding registration figures were announced Tuesday by Dr. James F. Redmond, Orleans parish superintendent of schools.

Decreases were rather general in the white elementary schools.

**Redmond said that opening of the new McDonogh No. 45 Elementary school in Algiers accounted in great part for the loss of 198 pupils from the Alice M. Harte school and of 239 from the Adolph Meyer school.**

Some of the increase at the B. M. Palmer Elementary school (up 172) and some of the loss at the Jefferson Davis Elementary school (down 70) was attributed to a change in bus attendance districts.

**DISTRICT CHANGE**

A bus attendance district change also accounted for the loss at Colton Junior High school (down 112) and part of the increase at McDonogh No. 28 Junior High school (up 144).

**McMain Junior High experienced a loss of 115 because no new permits for transfer were issued, Redmond said.**

The same was true for Alcee Fortier Senior High school, which fell off 258.

Increased registration in Negro schools were general. Decreases at the Phyllis Wheatley Elementary school (down 106) were due to the razing of the Barre housing project.

**INCREASE FORECAST**

Redmond said the next reporting period for enrollment figures will come at the end of the first trimester, Oct. 19.

**"By that time it is felt a substantial increase in enrollments in both the white and Negro schools will have taken place," Redmond said.**

The superintendent announced the following registration table:

WHITE SCHOOLS

| | Sept. 19 1960 | Sept. 21 1959 | Decrease |
|---|---|---|---|
| Elementary .. | 21,816 | 24,426 | 2610 |
| Junior high .. | 8,632 | 8,690 | 58 |
| Senior high .. | 7,042 | 7,382 | 340 |
| Total ..... | 37,490 | 40,498 | 3008 |

NEGRO SCHOOLS

| | Sept. 19 1960 | Sept. 21 1959 | Increase |
|---|---|---|---|
| Elementary .. | 37,230 | 35,797 | 1433 |
| Junior high .. | 7,782 | 7,306 | 476 |
| Senior High .. | 6,101 | 6,018 | 83 |
| Total ..... | 51,113 | 49,121 | 1992 |

In releasing the registration figures, Redmond said:

**Although some of the loss experienced by the white schools may be accounted for by the transfer to other schools (outside the New Orleans public school system), two additional factors are also causing many children to be withheld from enrollment in any school at this time.**

"The first of these is the change in state law which makes it mandatory that every child must present a birth certificate upon initial entry into a school.

"Prior to this school year affidavits were acceptable in lieu of a birth certificate.

"In addition, superintendents of parish schools were authorized in the past to permit children to enroll pending receipt of a birth certificate.

**CHANGE BY LEGISLATURE**

"Both of these changes were made by the Legislature in the 1960 session.

"In addition, permits for transfer from a school of the attendance district in which a child lives to any other school have not been issued this year.

"It is believed when this restriction is lifted some changes will be made in the individual school enrollment figures."

## ORLEANS MAN SAYS

# Parents Favored Closing Schools

A segregationist member of the New Orleans school board told the Jackson Citizens Council last night that almost 90 per cent of the parents in New Orleans favored closing schools before integrating them.

Amile Wagner, a member of the board in New Orleans for the past eight years, was the principal speaker at last night's Council meeting.

The federal government has ordered New Orleans schools integrated in November.

Wagner told Council members that "either we maintain segregation in New Orleans or public education for our white children will be destroyed."

He said New Orleans has almost five Negroes for two white students in its public schools.

In the first grades of New Orleans, where the court has ordered race mixing to begin, he said the city has 3300 whites and 6400 Negroes.

The school board member predicted that Gov. Jimmie Davis will call a special session of the Louisiana Legislature to solve the problem before integration is brought about. He said the state probably will take over the New Orleans school system.

Fighting a federal court on the issue of integration, Wagner said, "is like fighting a man with a gun with a broomstick."

"We're told the U. S. Supreme Court's desegregation decision is the law of the land," he said. "What they mean is there's nothing we can do about it."

# N.O. School Integrated By Mistake

NEW ORLEANS—The faculty of an Orleans Parish public school was integrated last week, but inadvertently, it was learned from reliable sources.

A white substitute school teacher, through a mixup in the school board office, was assigned to a downtown Negro school. She reportedly taught a class until 2 P. M., when the mistake was discovered.

# New Orleans To Separate Mixed Classes By Se

NEW ORLEANS (AP) — The Orleans Parish (county) School Board will separate children according to sexes in any class desegregated by federal court order, School Supt. James F. Redmond said Wednesday.

The school board is under a federal court order to desegregate first grade classes in public schools on Nov. 14. Previously, 135 Negro children applied for transfer to white schools and one white student asked for a transfer to a Negro school.

Where classes are desegregated by such transfers, Dr. Redmond said, "separate classes for each sex shall be established for each class desegregated."

"We feel it is important that this be done," Redmond added.

Earlier this week, the school board approved use of the pupil placement plan in complying with the desegregation order issued by Federal District Judge J. Skelly Wright.

The plan is patterned after an Alabama statute that the United States Supreme Court declared constitutional.

The plan provides 17 factors to be considered in regulating transfers of students from one school to another. These include such factors as intelligence of the child, home environment, morals, conduct and health standards.

The school board, Redmond said, may reassign students in their attendance districts if pupils do not make "satisfactory adjustment" to the new school.

# Select 5 Children To Integrate N.O. Schools

The Louisiana Weekly
New Orleans La.

Five (5) Negro children have been selected to integrate first-grade classes November 14, the superintendent of New Orleans schools announced last Thursday.

Dr. James F. Redmond said only five of the 137 applicants for transfers from Negro to white schools had been approved under the school board's pupil placement plan.

Redmond said the five pupils would be divided between two elementary schools when integration begins November 14.

The superintendent would name neither the children nor the schools. He said the five selected by his staff had to be approved by the school board.

Redmond's announcement came just prior to Gov. Jimmie H. Davis' call of a special session of the Legislature to fight integration.

The school board is under federal orders to integrate at the end of the first quarter of the school term on Nov. 14. Davis and other state officials have been enjoined from interfering with integration.

Meanwhile the following statement was issued by Clarence A. Laws, NAACP Field Secretary on the Special Session of the Louisiana Legislature which will convene November 4.

"The calling of a special Legislative session by Gov. Jimmie H. Davis at this time, will have grave implications for the peace, tranquility and growth of Louisiana. It will have gravest implications for children -- all children -- of the state for their entire lives could be adversely affected by some hasty and ill-conceived legislation."

"It is highly doubtful that the Governor, the Legislature, or anyone else can take any action at this time that would long delay integration of the public schools in New Orleans which was not taken elsewhere and found to be totally unworkable and unconstitutional. In that light, the special session, it would seem, can do nothing more than confuse issues, inflame feelings and waste taxpayes money..."

"In school cases in both Arkansas and Virginia, the United States Supreme Court ruled that the partial closing of schools was in violation of the 14th Amendments to the Constitution. Certainly, the closing of all of the schools in Louisiana would have demoralizing and disasterous results. The people of New Orleans and the State should resist such action with all of their energies and resources."

# La. Governor Moves To Keep 5 Out Of Schools

Baton Rouge Advocate
Baton Rouge, La.
Wed 11-2-60

BATON ROUGE, La. — (UPI) — Gov. Jimmie H. Davis Friday called a special session of the Legislature in a last ditch move to prevent five Negroes from integrating first grade classes in New Orleans next month.

Davis, apparently ignoring a federal injunction barring him from interfering with the Nov. 14 integration, called the Legislature into session a week from Friday, Nov. 4.

His proclamation called for a 12-day session to deal with legislation "relative to the education of the school children of the state ... for the preservation and protection of the powers and rights reserved to the state ... to the police power of the state .... and to a state militia ..."

The reference to milita may mean the Legislature wil ltry to block the use of the National Guard to integrate the school.

The Legislature is also expected to push out of office four members of the Orleans Parish county School Board who say they would rather integrate than close the schools.

# Davis Calls Louisiana Legislators

The Montgomery Advertiser
Montgomery, Ala.

## Mixing Deadline Only 10 Days Away As Session Starts

Ref 10-29-60

BATON ROUGE (AP) — Gov. Jimmie H. Davis Friday called the Louisiana legislature into session at noon Nov. 4, a bare 10 days before a federal court deadline to integrate New Orleans public schools.

The 12-day session means lawmakers will be on hand for the Nov. 14 integration date.

Davis and Atty. Gen. Jack Gremillion are under federal court orders not to interfere with school integration. The order followed Davis' attempt in August to seize control of New Orleans schools to block integration.

**VOWED SEGREGATION**

The call for the session came one day after Dr. James F. Redmond, New Orleans public school superintendent, recommended five Negro girls be admitted to the first grade of all-white schools. The Orleans Parish school board has not yet acted on the recommendation.

Davis, a one-time hillbilly singer, thus stepped forward as a champion of Southern states' rights. He had promised to keep schools open and segregated, during his successful gubernatorial campaign last winter and since taking office in May.

Until Friday, Davis had denied he had any plans to call a session. Segregationists have been clamoring for one for several weeks.

The governor's proclamation listed five general items, without being specific. It touched on schools, other educational units, police powers of the state and a state militia.

**STATE POWERS**

He refused all comment on what bills would provide. So did chairman John Garrett of the Joint Legislative Committee on Segregation.

There are some reports the special session may center on the Tenth Amendment to the U.S. Constitution which deals with powers reserved to the states.

The U.S. Department of Justice in Washington said it had no comment on Davis' call for the legislative session.

# Segregationists Plan No School Closing

Jackson Daily News
Jackson, Miss.
11-3-60

BATON ROUGE (AP) — A New Orleans legislator says he understands segregationists' bills planned for a last-ditch special legislative session will not attempt to close schools. The session starts Friday.

Rep. Edward LeBrenton Wednesday added that reports he has received also indicate no attempts will be made to remove members of the Orleans Parish School Board.

Four of the five board members, comlying with federal court orders, approved a pupil placement plan. The plan has recommended admission of five Negro first graders to two white schools Nov. 14.

LeBrenton also reported his sources said the administration did not plan use of the militia to prevent school integration. The militia was mentioned in Gov. Jimmie Davis' call.

Meanwhile, details of bills segregationists have mapped continued to remain secret on the eve of the long-awaited session in which segregationists are expected to make a final effort to head off school integration.

# Send CORE Aides To New Orleans

The Defender
Chicago, Ill.
11-3-60 P2

NEW YORK CITY—An Interracial team of CORE field secretaries is working to prevent violence in New Orleans school desegregation.

Tom Gaither is working with Negro church, civic and fraternal groups while Genevieve Hughes is working with white women's and parents organizations.

New Orleans CORE has formed a minute-man squad for nonviolent vigil at the homes of the children attending the integrated school. They will be available for any kind of guard duty required.

**WIRES EISENHOWER**

On November 16 CORE national chairman Charles R. Oldham wired President Eisenhower urging that he and Sen. Kennedy jointly fly to New Orleans and "appeal to the people of the city and nation for dignified acceptance of their position of leadership in this momentous social change."

The President has not yet replied. Kennedy staff members have indicated that the president-elect will not make a statement until he has the responsibility of office.

National CORE has also urged its Louisiana members to write to Gov. Davis and to New Orleans Mayor DeLesseps S. Morrison. Members around the country have been urged to ask President Eisenhower to "speak out on this supreme moral issue."

New Orleans CORE chairman Rudolph Lombard urged that "Parochial schools set the standard of peaceful nonviolent desegregation immedately."

# Louisiana Studies 'Drastic Remedy' To Block Mixing

BATON ROUGE (AP) — Chairman Frank Voelker Jr., of the State Sovereignty Commission Tuesday night urged Louisiana to interpose its sovereign power against the federal government.

Voelker, in a statewide TV address, called for unity behind a last-ditch effort to preserve states rights.

He said circumstances demand use of the "drastic remedy" of interposition to fend off federally-ordered school integration.

Interposition advocates believe a state can legally "interpose" itself between the federal government and local authority and thus nullify federal actions. A federal court has ordered New Orleans first grade classes integrated by Nov. 14.

Voelker's 15-minute address may be an indication of what lies ahead in the secret package of bills segregationists have prepared for a Nov. 4 special session of the legislature.

The Sovereignty Commission chairman called for resistance "through every device of interposition we can bring to bear, political, legislative, judicial.

"We must invoke our sovereign power to insist that federal encroachment be restrained," he said.

Voelker also called for a move to amend the U.S. constitution.

State Education Supt. Shelby M. Jackson, who preceded Voelker with a 15-minute talk, called for unity "to put a stop to the cancerous movement" destroying education in Louisiana.

Jackson spent most of his time detailing advances he said have ben made in Negro schooling in Louisiana without federal help.

He appealed to all races to "maintain our public schools program on the present segregated basis."

Both Voelker and Jackson have ben working with the Joint Legislative Committee on Segregation in framing bills for the approaching special session.

Earlier Tuesday, Gov. Jimmie Davis told newsmen he didn't know details of the bills that will be introduced at the meeting.

The 12-day session's Friday opening is just 10 days before scheduled desegregation in New Orleans.

**DETAILS SECRET**

Details of the proposed bills so far have been kept secret.

Voelker, whose interposition remarks were the first public confirmation of widespread rumors it was being considered was not at all times optimistic about the fate of the little-known strategy.

"I do not know that the sovereign powers of the state can be retained," Voelker said, "but I do know that we must make every effort to find out."

Voelker indicated a moderate type of interposition was being considered by legislators.

"We must base our case squarely on the constitution," he said. "We will not threaten dissolution of our union, rather we will plead that it be maintained as one of separate sovereign states."

## For Desegregation in New Orleans

# Chronology of 8-Yr. Fight

NEW ORLEANS — Eight years, two months and 10 days of litigation and legislation elapsed between the filing of a desegregation suit against the Orleans Parish school board and the actual integration of schools here last week.

A chronological report of the eight years follows:

Sept. 4, 1952—Earl Benjamin Bush et al, represented by Atty. A. P. Tureaud, filed suit in U.S District Court here asking a decree that separate schools are "a denial of the equal protection clause of the 14th Amendment."

**May 17, 1954—The U. S. Supreme Court ruled in the case of Oliver Brown vs. Board of Education of Topeka, Kan., that the states are prohibited from segregating schools by race. This reversed the 1896 "separate but equal" ruling in the Plessy case.**

Nov. 1, 1955—Louisiana Atty. Gen. Fred S. LeBlanc filed motion to dismiss the case on grounds that the suit was in affect a suit against the state, and any judgement against the school board would have the effect of controlling the state's political power and internal policy, which would "direct and regulate the executive authority of the state in enforcement of its police powers."

**Nov. 15, 1955—A three-judge Federal Court held the state segregation laws invalid. Judge J. Skelly Wright ordered school board to desegregate New Orleans public schools "with all deliberate speed."**

July 18, 1956—Gov. Earl K. Long signed into law a bill reserving solely to the Legislature the right to classify or declassify schools as Negro or white.

July 1, 1958—Federal Court denied the motion to dismiss the suit.

**Oct. 23, 1958—Judge Wright issued final decree ordering Orleans school board to desegregate schools "with all deliberate speed."**

**July 16, 1959—Judge Wright ordered school board to file a desegregation plan by March 1, 1960; later postponed date to May 16, 1960.**

May 16, 1960—School board filed no plan, saying it was prohibited by valid state law. Judge Wright ordered that all children entering first grade in September, 1960, may attend either the formerly all-white or formerly all-Negro public schools nearest their home, at their option.

**May 31, 1960—School board filed appeal; U. S. Fifth Circuit Court rejected plea June 2.**

June 20, 1960—School board voted to ask Gov. Jimmie H. Davis to interpose sovereignty of state to prevent integration.

July 25, 1960—The State of Louisiana filed suit in Civil District Court to restrain Orleans Parish school board from complying with Judge Wright's integration order.

July 27, 1960—Attys. A. P. Tureaud and Mrs. Constance Baker Motley, and Attys. E. N. Morial and A. M. Trudeau filed motion on behalf of Bush et al in Federal Court naming Governor Davis and Atty. Gen. Jack P. F. Gremillion as defendants.

July 30—Civil Court Judge Oliver P. Carriere granted state's plea enjoining school board from making any integration plans.

**Aug. 17 — Threatened with school closure by new state laws, 31 white New Orleans taxpayers filed suit in Federal Court to block interference with school board and prevent the closing of schools.**

Aug. 18—Governor Davis seized control of New Orleans public schools, superseded the school board, and announced schools would open segregated on Sept. 7, a day ahead of schedule.

**Aug. 26—A three-judge Federal Court ruled Davis acted illegally, returned control of and enjoined both the Governor and Attorney General from interfering in any way with court-ordered integration of schools, then declared seven of the state's key segregation laws to be unconstitutional.**

Aug. 29 — Four school board members petitioned Judge Wright for a delay of his integration order. Judge Wright grants delay until Nov. 14.

Sept. 1—U. S. Supreme Court denied motions by plaintiffs and by State of Louisiana to set aside Judge Wright's grant of a 10-week delay.

Sept. 8—Public schools opened segregated. Supt. James Redmond said no requests for school transfers would be considered until Oct. 3.

**Oct. 27 — Dr. Redmond announced that five Negro girls had been approved for transfer to two white schools.**

Nov. 6—The House voted passage of all 29 bills, stripping the Orleans school board of all power and setting up an eight-man legislative committee to operate New Orleans schools.

**Nov. 10—Legislative committee took over control of school system. Judge Wright issued temporary restraining order against enforcement of new state segregation laws; enjoined legislative committee, State Education Supt. Shelby M. Jackson and other state officials from interfering with school integration, and set hearing for Nov. 18.**

Nov. 11—Governor Davis called another special session of the Legislature to convene Nov. 13. School board announced plans to admit five Negro girls into white school Nov. 14. U. S. Atty. M. Hepburn Many disclosed additional Federal marshals had been brought in.

Nov. 12—Attys. Thurgood Marshall and A. P. Tureaud asked Federal Court to declare 15 new state segregation laws unconstitutional. U. S. Atty. Gen. William P. Rogers warned Governor Davis against interfering with orders of the Federal Court. State Superintendent Jackson declared a statewide school "holiday" for Nov. 14.

Nov. 13—Legislature acted to seize New Orleans schools, named legislative "sergeant-at-arms" to block admission of Negroes to white schools. Judge Wright enjoined the State Legislature from interfering with school integration and cited Superintendent Jackson for contempt. Orleans school board president Lloyd J. Rittiner announced schools would be open regardless of Jackson's orders.

Nov. 14—State Legislature addressed out of office the Orleans Parish school board. Judge Wright enjoined the Legislature, restored control of schools to the school board. Four six-year-old Negro girls were accompanied by deputy U. S. marshals and were admitted to two all-white schools. The fifth pupil did not appear.

# Louisiana Legislators Ask Denunciation Of Professor

BATON ROUGE, La. (AP)—Louisiana legislators angry at criticism of their fight for school segregation, will ask a house vote Thursday to denounce a university professor who scoffed at their efforts.

Coupled with that move of condemnation is a companion proposal to launch an un-American activities investigation at Louisiana State University.

The resolution was drafted by Reps. Mike John Jr., and Lawrence Gibbs of Ouachita Parish (County) after English Prof. Waldo F. McNeir wrote a letter to his senator, saying the legislature's actions were a disgrace and a national scandal.

Members of the House Education Committee unanimously approved the measure after a 50-minute secret session with LSU President Troy H. Middleton Tuesday.

McNeir was not called, because Chairman Carroll DuPont said his letter was evidence enough. McNeir wrote "segregation is wrong, interposition is of no value."

The U.S. Supreme Court a few days ago ruled against the state's doctrine of interposition in waging war against school integration.

John withdrew an earlier provision which would have withheld LSU's $25 million share in a $60 million bond issue for capital outlay.

President Middleton several days ago cautioned LSU personnel about any comments in connection with state policies.

The John - Gibbs resolution aimed at McNeir's remarks and other things on the LSU campus not made clear called for the joint legislative committee on un-American activities to make an investigation.

# Two Orleans Students Enroll At Picayune,

There has been some speculation about whether New Orleans white students would migrate to Mississippi schools to avoid integration, but so far there is little evidence of it.

State Supt. of Education J. M. Tubb said today, "If the local people would accept them, they could pay tuition to put their kids in school if they didn't want to move into the Mississippi school districts."

Tubb said he has heard of only a few inquiries from New Orleans parents, and these have all been in the southwest corner of Mississippi near New Orleans.

He said the amount of tuition for non-resident students would be fixed by local school authorities.

A check by United Press International revealed only two New Orleans students have enrolled recently in southwest Mississippi schools, in Picayune.

Picayune Supt. of Education S. F. Smith said a New Orleans boy was enrolled Monday in the 11th grade and a girl enrolled three weeks ago in the 10th grade. New Orleans integration has been in two grammar schools.

Smith said he got no "clear-cut answer" about whether either pupil whose parents live in New Orleans, began living with Picayune relatives to enroll in a school there did so to avoid integration in New Orleans. He said both students are paying $12 tuition a month.

# Orleans Church Desecrated

The Washington Post
Washington D.C.
12-19-60

NEW ORLEANS, Dec. 18 (UPI)—The sixth tense week of desegregated schooling began today with a Methodist Bishop praying for the souls of those who desecrated one of his churches with great splotches of tar.

"Those who strike the property of the church strike at Christ," said Bishop Aubrey G. Walton in his morning prayer at St. Mark's Methodist Church.

Creosote, thrown yesterday by vandals against the white stucco church walls, had oozed down over the green and purple stained-glass windows, and cast its shadow on the bowed heads of the congregation.

It was the latest reprisal against Rev. L. A. Foreman, the church's pastor, whose life has been threatened because he, a white man, continues to send his daughter to school with a Negro girl.

"We pray for those who desecrate our church," said the Bishop, and concluded with "forvige them, Father, for they know not what they do." The Bishop's rare appearance at the church affirmed the church heirarchy's endorsement of his action.

[Louisiana's fiery segregationist leader, Leander H. Perez, charged tonight that the United States Supreme Court's 1954 desegregation decision was no more the law of the land "than any other Communist doctrine," Associated Press reported.

[Perez made his charge as opponents and proponents of compliance with the decision clashed on David Susskind's Television show, "Open End." The 3-hour program was telecast in New York City and New Orleans, where it was taped last night.

[Lloyd J. Rittiner, former president of the Orleans Parish School Board which complied with Federal Court desegregation orders after fighting them in court, said the integration decision was the law of the land, because the U. S. Constitution gave the court the power to interpret the Constitution.]

## *Segregation-Defying Family Arrives in North*

PROVIDENCE, R.I., Dec. 18 (AP)—A white mother who braved ~~jeering segregationists~~ to send her 6-year-old daughter to schol in New Orleans arrived in Providence today to be reunited with her husband, James Gabrielle.

Gabrielle arrived last night by auto with three of their six children. His wife, Daisy, flew to Newark today and then took the train from New York ot Providence. She brought with her the other three children, including Yolanda, who attended the desegregated William Franz School in New Orleans.

"We split up so if they got us, they'd only get half of us," Gabrielle said. He did not elaborate.

The Gabrielles drove to the home of her husband's mother where the children were waiting.

Associated Press

**Ellen Steinberg, a St. Louis heiress, has offered the New Orleans School Board a $500,000 loan to help keep its desegregated public schools open. Miss Steinberg is prepared to forego repayment if necessary.**

# PEACE HOPES RISE FOR NEW ORLEANS

The N.Y. Times

## Business Men in City Issue 'Appeal to Reason' Asking End of School Violence

New York N.Y.

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 13—Developments in the New Orleans school integration struggle today gave some hope for a peaceful resolution of some of this city's problems.

A meeting was scheduled in Baton Rouge of members of the New Orleans School Board, legislative and segregationist leaders and the counsel to Gov. Jimmie H. Davis.

A public "appeal to reason" was issued by 100 business and professional leaders of the city calling for an acceptance of Federal court orders on integration and an end to threats and violence.

A third development was the withdrawal of the segregationist picket line at the one integrated elementary school where white and Negro children are in attendance.

The promise in all three developments still was problematical but they were the most favorable signs in the last month of a possible return to more sane and orderly conditions.

The meeting in Baton Rouge was arranged by Louis G. Riecke Sr., a prominent New Orleans lumberman, who last night was elected president of the New Orleans School Board for a one-year term. He has been a member of the board since 1956.

### Back Salaries Are Due

He said last night that one of his first acts would be to arrange such a meeting and attempt to work out with legislative leaders some truce that would free New Orleans school funds so that school employes and suppliers could be paid by Dec. 23. He arranged the meeting by telephone this morning.

On Dec. 23, a total of $2,150,000 in back salaries will become due to school employes. Also $600,000 is due school suppliers who have not been paid since Nov. 10 when a special session of the Legislature froze the school board's funds. The Legislature subsequently "addressed" the school board out of office.

The Federal Court here has held both acts unconstitutional but local banks have refused to free the funds and have been loathe to lend money to the board for current expenses until there has been a definitive ruling from the United States Supreme Court.

The school board is not in favor of integration any more than is the Legislature but it finally bowed to the Federal Court's order on Nov. 14 and placed five Negro girls in the first grade of two formerly all-white elementary schools. Both schools are in neighborhoods where white and colored people have lived amicably side-by-side for years.

The business and professional men's appeal to reason was made in a six-column advertisement to be published in The tomorrow morning.

It began by saying that the signers were opposed to integration but believed that all legal recourse to the courts now had been exhausted and New Orleans must yield. The only legal method left, they said, is to amend the Constitution.

The statement continued:

"We believe that there should be an immediate end to threats, defamation and resistance to those who administer our laws.

"We appeal to the citizens of New Orleans to demand an end to the street demonstrations. We ask that support be given to the city officials, the police and the duly elected school board of the Parish of Orleans [New Orleans]. We urge that education of our youth not be interrupted and that dignity be restored to our community.

"We are proud that we are citizens of the United States of America and we recognize allegiance to this union. We ask others to join us in these sentiments."

The meaning of the withdrawal of the pickets at William Frantz school and McDonogh No. 19 school was puzzling. They have been there taunting the fe wyhite parents who have dared to take their children to integrated William Frantz school every school day since Nov. 14.

The school population at William Frantz held firm today at eight white pupils and one Negro. The white boycott o McDonogh No. 19, however, remained complete. Only three Negro girls have been attending school there.

There also was a cessation, it was reported , of telephone threats and other harassments that have been leveled at the white parents at their homes.

There was little hope, however, that this was more than a lull in the emotional storms that have been sweeping New Orleans for several months.

The White Citizens Councils, a militant segregationist organization that is active all through the Deep South, has called for a mass meeting for Thursday night in the Municipal Auditorium.

# LOUISIANA PASSES NEW SCHOOL BILL

The N.Y. Times

## Would Replace New Orleans Board With State Panel in Move on Integration

New York N.Y.

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 15—A special session of the Louisiana State Legislature at Baton Rouge adopted today a bill setting up a state-appointed school board for New Orleans.

It was the fourth such measure passed since Nov. 4 in an attempt to supersede the elected board and prevent integration of the city's schools under Federal Court order.

The three previous bills, ilarly worded, have been declared unconstitutional by a Federal District Court.

M. Hepburn Many, United States District Attorney here, indicated he would ask the court for a restraining order against this new measure as he had against the others.

### New Session Is Set

After passing the school board bill and several related measures aimed at integration, the special session ended its thirty-day term but prepared to return at Baton Rouge on Saturday for a new thirty-day meeting. The purpose of the new session will be to provide funds for operation of private segregated schools for students whose parents do not want to send their children to school with Negroes.

The most widely discussed means has been an increase in the state sales tax from 2 per cent to 3 per cent. This would provide an estimated total of $45,000,000 in new revenue.

There has been such a mounting storm of protest against this plan, however, that a New Orleans legislator suggested today that the state legalize bingo and keno games instead to raise the necessary funds.

### Two-Thirds Vote Needed

There was no indication from leaders of the state administration whether they might accept that if a rise in the sales tax was blocked. A two-thirds vote is required in both Houses to increase the sales tax. With labor and business almost solidly opposed to the tax there was some question whether these majorities could be obtained.

In an attempt to allay rumors that the troubles over the schdols might cause curtailment or cancellation of the traditional street parades during the Mardi Gras festival in February, Mayor deLesseps S. Morrison announced today issuance of permits for the sixteen traditional parades.

A Negro parade, that of the King of the Zulus, was included. There had been reports that it would not be held. Several other Negro activities during the festival period have been canceled as a silent protest against segregation.

A three-judge Federal Court meets again tomorrow morning to rule on two pleas for implementation of its school integration orders. One asked for a contempt citation against the local banks, which have heeded the orders of the State Legislature instead of the court. The banks have refused to honor checks drawn by local school officials or to lend it money for current expenses against city tax collections.

**...ters Help**

The Courier-Journal

Louisville Ky.
Associated Press Wirephoto

Ellen Steinberg, a St. Louis heiress, offered in New Yesterday to lend the New Orleans School Board $500,000 to help keep its newly integrated schools open. She said she is prepared to forego repayment if necessary.

# Federal Judges Hear Plea For School Funds

The Montgomery Advertiser
Montgomery, Ala.
Sat. 12-17-60
P. 1-B

NEW ORLEANS (AP) — Gov. Jimmie H. Davis appeared as a silent spectator Friday as a New Orleans school board attorney pleaded before a 3-judge federal court for money to run the city schools.

"We can't operate the schools," attorney Samuel I. Rosenberg said, "unless the court orders New Orleans banks to release our money."

The school board has complied with federal integration orders. The Legislature has passed resolutions urging banks not to honor school board checks and the board's funds have been frozen.

Davis, at times, appeared intently interested in arguments during the 3½ hour hearing. At times, he looked bored and drummed his fingers on the attorneys' table.

**NO COMMENT**

He left at noon, about a half hour before proceedings wound up.

Davis made no comment to explain his surprise appearance—his first at an integration court hearing. Atty. Gen. Jack Gremillion told the judges Davis came as a "spectator and observer."

But outside the court, Gremillion said Davis' appearance was "Indicative of his concern in the matter (integration) and that he is leading the fight."

"He was here to assure people of Louisiana that they should be allowed to run their schools as they see fit," Gremillion said.

Davis, who had dodged federal marshals for weeks before accepting court papers, has been enjoined from interfering with school integration.

The federal tribunal took under advisement a school board request for an injunction that would force city banks to release school board funds.

The banks' attorneys asked the court to dismiss the suit. They argued the banks can take "no position nor any risks."

The judges also heard motions to ban enforcement of a new state law empowering Davis to replace the school board with his own 5-member board. The court said it would rule later.

Even as the judges started deliberating on the law, the Legislature Thursday passed another similar law and itself appointed a new board. But Gremillion said Davis has not signed the legislative-board act into law yet.

While the legal wrangling went on, eight white studends attended William Frantz School Friday with one Negro first grader. And three Negro girls were alone at McDonogh No. 19 school. Just a handful of demonstrators were on hand.

The court said it would recognize Rosenberg until it ruled on all matters presented Friday. U.S. Atty. M. Hepburn Many then filed a request for a restraining order to prevent the state from dismissing Rosenberg.

Rosenberg argued if the court fails to uphold the current school board's legality "utter confusion and chaos would necessarily flow."

The hearing was conducted by Richard Rives, Chief Judge of the U.S. Fifth Circuit Court of Appeals, and U.S. Dist Judges J. Skelly Wright and Herbert Christenberry.

# Louisiana Segregationist Calls Decision Communistic

The Courier-Journal
Louisville, Ky.
Mon. 12-19-60
P. 5

New Orleans, Dec. 18 (AP)—Louisiana's fiery segregationist leader, Leander H. Perez, charged Sunday night that the United States Supreme Court's 1954 desegregation decision was no more the law of the land "than any other Communist doctrine."

Perez made his charge as opponents and proponents of compliance with the decision clashed on a television show.

Perez said the court had rejected previous decisions and the 14th Amendment in its 1954 ruling and had accepted "pro-Communist writings" of psychologists, sociologists, and anthropolgists.

"Americans can no more accept this decision," Perez said "than they can accept communism itself."

Lloyd J. Rittiner, former president of the Orleans Parish School Board which complied with Federal Court desegregation orders after fighting them in court, said the integragation decision was the law of the land, because the United States Constitution gave the court the power to interpret the Constitution.

# $500,000 Gift Offered To Aid New Orleans Schools

The Talladega Daily Home
Talladega, Ala.
Mon. 12-19-60
P. 1

NEW ORLEANS, La. (AP) — Money was a prime issue in the school integration struggle today as both the New Orleans School Board and the Louisiana Legislature sought ways out of a tangled financial crisis.

The money-beset school board considered accepting a surprise offer of $500,000 from Ellen Steinberg, a St. Louis heiress, made in New York over the week-end.

In Baton Rouge, lawmakers scheduled a committee hearing on a one-cent sales tax that could net an estimated $45 million. Administration leaders said the money would pay the way for white students who wanted to go to private segregated schools.

Another bill introduced Sunday would tax advertising in newspaper. Newspaper editorials have criticized certain aspects of the lawmakers' segregation fight.

Louis G. Riecke Sr., school board president, sent a telegram to Miss Steinberg thanking her for her offer. The proposition "practically took my breath away," he said.

Miss Steinberg, daughter of millionaire banker and philanthropist Mark C. Steinberg who died in 1951, said she offered the money to help keep schools open. She asked the board to pay her if possible.

The legislature has frozen school funds and warned banks they would honor school board checks at their own risks. The board needs three to four million dollars to pay salaries and bills through June 1961.

A three-judge federal court is expected to rule soon on the board's request for a court order to force four New Orleans banks to release school money.

The federal tribual also has under advisement a request for an injunction banning a new state law that would empower Gov. Jimmie H. Davis to appoint a new school board.

Intergation at two New Orleans elementary schools entered its fifth week today.

Three Negro girls have been attending McDonogh No. 19 school, where a total white boycott is in effect. One Negro girl attends William Frantz School. Eight white children also attended Frantz school most of last week.

DAVIS' MOVE

# Orleans Mix Order Called Impractical

NEW ORLEANS (AP) — It's up to Gov. Jimmie Davis now to set a time for a meeting with the Orleans Parish school board to discuss his plans for maintaining segregated schools in New Orleans.

Lloyd J. Rittiner, school board president, expressed hope that Davis will be able to "help us solve this problem."

He referred to Monday's order from U.S. District Judge J. Skelly Wright. Judge Wright presented the board with a plan for ending segregation in public schools. It would begin with the first grade this September.

Only a few hours after Wright disclosed his plan, Gov. Davis told a joint session of the Legislature segregation would be preserved without compromise.

Segregation leader William M. Rainach of Summerfield yesterday described Wright's ruling as unconstitutional and impractical.

"If half the Negro students in Negro schools should desire to enter white schools in September, the white schools would be so crowded they could not operate and the Negro schools would be half empty," Rainach said.

Judge Wright's plan gives Negro and white pupils entering first grade for the first time the choice of attending either the formerly all-white or formerly all-Negro school nearest their homes.

At the same time, a group wanting to keep the schools open called on Davis to take the lead in preserving public education in the city. The organization is called "Save Our Schools, Inc."

"We have already seen in other southern states the disastrous results—the futility—of school closure. We have already seen the inadequacy and waste which accompany makeshift private school arrangements," the group said in a statement.

A recent survey by the Orleans Parish school board showed that parents of white public school students overwhelmingly favor closing the schools if they are not segregated. More than 12,000 of the 15,000 participating in the survey voted that way.

# Mixing Ordered In N. O. Schools

## Next September Deadline Set

NEW ORLEANS, May 16 (AP)— Federal Dist. Judge J. Skelly Wright fulfilled an advance warning today and ordered New Orleans public schools to desegregate classes next September.

Wright had advised the Orleans Parish (county) School Board to submit a desegregation plan by today "or I'll have one for you."

The school board's attorney, Gerald Rault, told the court earlier today the board had not prepared such a plan because it believed "that it does not have the right to do so" under state law.

Wright's order, issued in his chambers, provides:

All children entering the first grade may attend either the formerly all-white public school nearest their homes, or the formerly all-Negro school nearest their homes, at their option.

Children may be transferred from one school to another, provided such transfers are not based on consideration of race.

Wright noted that on Feb. 15, 1956, the school board was ordered to desegregate the public schools and the board failed to heed either that order or subsequent extensions.

Wright would not comment on how the order might be enforced. He declined to talk with newsmen after issuance of the order.

There was no report from the school board on what its next step would be. No school board member was present when Wright filed the order.

There were reports, however, that the board would ask the U. S. Fifth Circuit Court of Appeals for a stay of Wright's order.

Rault asked the court earlier that the order for the desegregation plan be set aside on grounds that the constitutionality of Act 319 of the 1956 Louisiana Legislature had not been decided.

The act gives to a legislative committee the power to designate which Louisiana school shall be all-white and which shall be all-Negro.

Rault contended that the issue should be delayed "because it is of such vital importance to the citizens of New Orleans and the state of Louisiana."

The board's fight against public school integration started in 1956 when Wright ordered that they be desegregated "with all deliberate speed."

The case went to the U. S. Supreme Court three times and on each occasion, the court upheld Wright's ruling.

# Left Candidates Oppose Mixing

Jefferson parish school board candidates who answered queries from the South Louisiana Citizens' Council all supporter the policy of racial segregation, a council official said Wednesday.

Jackson G. Ricau, executive director, said all who returned the signed questionnaire replied they "intend to co-operate to the fullest with Gov. Jimmie H. Davis and the state Legislature in their efforts to keep public schools open and segregated."

They were:

Fourth Ward — Dave V. Davria, Eno A. Elliott, Nelson J. Falgout, Andrew Karst and Dave Sanderson.

Eighth Ward Alvin E. Bertaut, Louis E. Breaux, George Bode, Patrick W. Burke Sr., Mrs. Vernon Hayes; Karl H. Kraak, Donald G. Lambert, Maurice R. Martin and John R. "Jack" Morse.

Ricau said the council also polled candidates for district attorney. But, added, no answers were received.

There are about 41,000 white and 50,000 Negro pupils.

# Ask La. Governor To Block School Order

NEW ORLEANS — (UPI) — The Orleans Parish school board Tuesday looked to Gov. Jimmie Davis for help following a federal district court order to integrate first grades in the public schools of the south's largest city.

Judge J. Skelly Wright ordered the integration plan — his own — when the school board failed to submit one as ordered Tuesday.

Board Vice President Louis J. Riecke said it was up to Davis, the state legislature and Louisiana's segregation leaders to keep New Orleans schools segregated.

The school board told the court it could not file an integration plan because state law places all integration matters in the hands of the legislature.

While Wright's order did not bring integration further than the first grade, he previously mentioned a plan to integrate a grade each year.

**JUDGES PLAN**

His brief order said that "with the beginning of school in September, 1960, all public schools in New Orleans shall be desegregated in accordance with the following plan:

"A. All children entering the first grade may attend either the formerly all-white public school nearest their homes, or the formerly all-Negro public school nearest their homes.

"B. Children may be transferred from one school to another, provided such transfers are not based on consideration of race."

The court first ordered the school board to integrate "with all deliberate speed" on Feb. 15 1956. On July 15, 1959, the board was ordered to file an integration plan by March 1, but later extended.

# Louisiana Governor Given Power To Close Schools

BATON ROUGE, La. (AP) — The Louisiana House passed 82-0 Tuesday a bill which gives the governor the option of closing any parish (county) school system ordered integrated, or closing all public schools in Louisiana.

The bill was sent to the Senate. It followed by one day 15 other segregation bills passed unanimously.

By an 89-0 vote, the House approved a bill prohibiting free school books and supplies for integrated schools.

Rep. John Garrett, chairman of the joint legislative committee on segregation, said the school closing bill is the result of the thinking of the United School Committee; parish school officials, the Attorney General's office and the State Superintendent of Education's office.

"The present law," Garrett said, "gives the governor the authority to close any (parish) school system ordered integrated by federal courts. He has authority under the state police power to reopen such schools on a segregated basis.

"But if he can't reopen such schools on a segregated basis, then under the new bill he could close all the public schools in the state."

Garrett said this would strengthen the state's hands "as far as the New Orleans situation is concerned."

New Orleans schools are under order to start integrating next fall.

Asked whether the proposal would interfere with education of children, Garrett replied: "I certainly do not think so."

Garrett said only a short transition period would be involved in any shift to a private school system, already provided for in Louisiana laws.

# Interpositi

The Louisiana

## By School

New Orleans La.

The New Orleans Parish School Board voted four to one Monday night for an interposition resolution during their regular meeting in the auditorium of the L. E. Rabouin High School.

The interposition resolution will throw the entire responsibility into the lap of Governor Jimmie Davis in dealing with the edict of the federal court which ordered integration of the Orleans public schools (first grade) in September 1960. This action washes the school board's hands of the case and the decision to comply with the ruling or close the schools will be left entirely up to the Governor.

The inkling of this decision came last week during a television panel discussion when Lloyd Rittiner, board president, stated that "integration in Orleans parish public schools cannot be avoided and there is no answer to the problem except to comply with a judge's decision if schools are to remain open." At a meeting of the President's Co-operative School Club, Rittner said, "The school board has not given up, but in my opinion we have come to the end of the road."

Obviously the end of the road came sooner than most expected for at the beginning of the regular meeting Rittiner called for the motion of interposition to be discussed.

Following the discussion, the board president requested that several letters, which had been sent to the board, asking that the schools remain, open be read.

One of the letters read was from Archbishop Francis J. Rummel which read in part — "Why not accept the moderate form of gradual integration proposed by Judge Wright as a sound, temperate interpretation of the American way of life, and incidentally, of the Christian way of life."

Theodore Shepard made the interposition motion. The motion was passed when Shepard, Rittiner, Louis G. Riecke and Matthew R. Sutherland gave their 'ayes.'

The dissenting vote was registered by Emile A. Wagner, who stated, "I would be very hesitant to use this method, as I believe the board has not completely exhausted other methods open to it."

Because of an overflow crowd for the Monday night meeting, the board moved the meeting to the auditorium of the L. E. Rabouin School which is next door to the regular meeting place.

A Legislative bill recently passed in Baton Rouge provides that teachers will be paid if the schools are closed.

# Segregation Action Planned In Orleans

## Parish School Board Member Reveals Measures

NEW ORLEANS, July 14.—(AP)—A member of the Orleans Parish School Board has revealed a special session of the legislature could be called "within 24 hours" to pass legislation for a private school system here in other efforts to avoid integration this fall.

Emile Wagner, who helped prepare several segregation bills passed in the recent legislature, said Thursday such a special session "was contemplated" before legislators adjourned last week.

Wagner discussed the last ditch measures on a panel over educational TV station WYES.

He said a special session "could remove bugs" from state law authorizing tuition grants to pupils where public schools are closed, and work out means for transferring existing school properties to private educational corporations.

But he said that "other measures are open to us to keep our schools open before we resort to a private system."

On May 16, Federal District Judge J. Skelly Wright ordered integration in the first grades of New Orleans public schools next September. He issued the order when the school board failed to submit a desegregation plan of its own.

Wagner said the "other measures" included:

The board's appeal to the United States Supreme Court for a stay of Wright's order.

Interposition by Gov. Jimmie H. Davis to keep the schools open and segregated despite the Federal court order. The school board asked the Governor to make this move, although Wagner dissented.

# Louisiana Plans Last-Ditch Bid To Keep Schools Open

NEW ORLEANS (AP)—Louisiana Atty. Gen. Jack Gremillion says he will file a suit in a state court next Monday aimed at preventing integration in New Orleans public schools.

Gremillion's statement, made last night at Las Vegas, Nev., came after president Lloyd J. Rittiner of the Orleans Parish school board, said that public schools here either will be integrated or closed in September.

The Louisiana official did not indicate the nature of the proposed court action. However, at a meeting of the Citizens Council of greater New Oleans, Emile A. Wagner Jr., a member of the school board, said the doctrine of interposition (use of the state's police powers) would be invoked by state authorities.

A board plea to delay temporarily the integration order until the U.S. Fifth Circuit Court of Appeals can rule on an earlier appeal was turned down yesterday by U.S. Supreme Court Justice Hugo L. Black.

### FIRST GRADE RULING

U.S. Dist. Judge J. Skelly Wright has ordered integration of the first grade of the city's public schools, effective Sept. 6, the start of the fall term.

The superintendent of parish schools, Dr. James E. Redmond, has been instructed by the school board to plan for three possible situations: An integrated school system, continued operation on a segregated basis and a closed school system.

Gerald A. Rault, special board attorney, said the next legal step to prevent integration might be a motion for an emergency session of the circuit court to hear the pending appeal.

Gov. Jimmie Davis has promised the Orleans Parish schools will be kept open on a segregated basis, despite the court order. Davis and Gremillion are expected to file suit in a state court to maintain a segregated system.

In Las Vegas, where he said he was stopping for one night en route home from the Democratic National Convention in Los Angeles, Gremillion told a reporter:

"I'm not surprised at the action of Justice Black. As a matter of fact, I expected it. I'm returning to Louisiana Thursday and we'll take appropriate action sometime next week.

### GETTING JITTERS

"I'm very sorry that Mr. Rittiner is getting the jitters. Such activity on his part can only lead to uncertainty.

"Gov. Davis and I have assured him and the people of New Orleans that we will take some action appropriate under the circumstances and in keeping with state law. I can assure them that something will be done shortly."

Gremillion said he has been correctly quoted as saying the state will legislate and litigate to prevent integration.

At the Citizens Council meeting, Wagner said his fellow-members were not standing firm on the segregation issue. The assembly passed a resolution asking for the resignation of the other four members of the board.

A recently passed state law gives Davis power to close all schools in the state if any is required to integrate. The governor's authority is discretionary, not mandatory.

Rittiner said he was disappointed with Justice Black's ruling but he called it "further proof of that fact that the Supreme Court is determined to see schools in New Orleans integrated in the fall."

Rittiner also called Black's decision "consistent with the attitude of the court on integration."

This was the third denial of a temporary stay since Judge Wright's integration order last May 16. Previous denials had come from Judge Wright and the circuit court.

### BIGGEST PROBLEM

Redmond said the possibility of closed schools would pose the biggest problems.

He pointed out that one city school, Fortier High School, had more students than the entire school system of Prince Edward County, Va., which closed its public schools and operated them privately to prevent integration.

He called the New Orleans situation "unique." "In Little Rock," Redmond said, "only one school was affected."

Many strong segregationists have advocated establishment of a private school system here, should legal attempts to block integration fail. However, Rittiner has said he doesn't think this will work.

In recent weeks, pleas to keep New Orleans schools open have come from committees of ministers and rabbis and a number of parents' groups.

# No Mixing In Orleans, Davis Vows

BATON ROUGE (AP)—Louisiana got the word Tuesday on the tense public school crisis in New Orleans with Gov. Jimmie H. Davis stating flatly the city's schools will remain segregated next fall.

Just how he intends to preserve segregation in the face of a federal court order requiring integrated first grades next September the governor didn't say.

But following a meeting with State Atty. Gen. Jack Gremillion and representatives of the Orleans Parish school board, Davis said the schools "will continue to operate on a segregated basis and we will do what is appropriate and necessary to accomplish this purpose."

U.S. District Judge J. Skelly Wright issued the integration order last May when the Orleans Parish school board failed to present a plan for desegregation, as previously ordered by the court. tended the conference with the President Lloyd Rittiner of the Orleans school board and past President Matthew Sutherland at- governor and Gremillion.

# Judge Refuses To Drop Order On Integration

NEW ORLEANS (AP) — U.S. Dist. Judge J. Skelly Wright refused Wednesday to set aside his order that the Orleans Parish School Board submit a public schools desegregation plan by May 16.

Immediately after Wright's decision, Board Atty. Gerard Rault said the board would seek legal recourse. He didn't say what action would be taken.

Rault has asked Wright to set aside his July 15, 1959 order that the school board draw up a desegregation plan for gradual intergration. Wright recommended starting with the first grade the first grade and moving upward each year until all grades were integrated.

Rault argued that a 1956 state law, held constitutional by state courts, gives the Legislature rather than the school board authority to designate which schools should be white, Negro or integrated.

The attorney said the board had neither the right nor the power to plan integration of New Orleans public schools which have 41,000 white and 50,000 Negroes.

# U.S. Judge Readies Plan For Louisiana Integration

NEW ORLEANS (AP) — Federal District Judge J. Skelly Wright said Wednesday that if the Orleans Parish school board fails to present a school integration plan by Monday, he will submit his own plan.

Wright's announcement was the latest development in a court battle which began in Febuary, 1956, when he ordered school segregation ended here "with all deliberate speed."

In turning down a motion for a delay so an appeal could be made to the Fifth U.S. Circuit Court of Appeals, Wright said Wednesday:

"I am not going to hold any member of the school board in contempt if they do not present a plan by May 16, but if they do not present a plan, I will come up with one."

The motion to delay was presented by Gerard Rault, special torney for the school board, who said the constitutionality of a 1956 state law should be passed on before Wright's order is put into effect.

The act leaves to the state legislature the designation of schools to which white and Negro pupils will be assigned. It also says that only white teachers can teach white students and only Negroes can teach Negroes.

In ordering the board to present an integration plan, Wright last July 5 suggested gradual end of segregation, starting with

# Poll Shows Vote Against School Closing

**The combined vote of Negro and white parents of students in Orleans parish public schools by a margin of 1,036 favored token integration, rather than to close public education facilities, according to results of an unofficial mail ballots, revealed by the school board Monday.**

**The ballots, were a result of a postcard poll, sponsored by the school board, to get a sampling of public opinion.**

**The school board is under an order from Federal District Judge J. Skelly Wright to produce for the court a plan of integration by May 16.**

**He (Judge Wright) has suggested a grade-a-year plan under which the first grade would be integrated the first year, the second grade the second year, and so on.**

**Perhaps to the dislike of many race haters, the parents of the students in a total vote, revealed that they were willing to forget "custom and tradition."**

**Together the vote was 14,114 for keeping the schools open and 12,978 for closure.**

**A total of 12,086 Negro parents or guardians answered the questions directed by the school board. Of these, 11,407 voted to keep the schools open and 679 said they would rather have closure than integration.**

**A total of 15,006 white parents or guardians answered the poll. Of these 12,777 voted to close the schools and 2,707 voted to keep them open.**

**The school board last month mailed 24,535 postcards to parents or guardians of the 41,894 white children in the public schools. Another 25,779 cards were sent to parents or guardians of the 50,704 Negro pupils.**

**Monday, Lloyd J. Rittiner, board president said "The board was interested primarily in the feeling of the white parents, since they are the ones who contribute most of the support of the public schools of New Orleans."**

**He said he had expressed the opinion before that he didn't think closing the schools "would help or solve any problems."**

**One Negro mother of a public school student, commented on Rittiner's statement, pointing out that Negro parents just like the white parents contribute to the support of the public schools and their (Negro parents) feelings must be considered.**

**She added "Judging from the comments, expressed by Rittiner, he has forgotten about the more than 250,000 Negroes in Orleans parish. In my opinion, it is impossible to forget or brush aside such a vast number of persons. They have voice and right within the community. This has, been proven by the combined vote of Negroes and whites in the recent poll."**

**She also asserted "The board sent out 24,535 cards to white parents or guradians and another 25,779 cards to Negro parents or guardians. These figures reveal that the board cannot try to follow the will of the majority of the white parents, but must follow the will of the majority of the parents, regardless to race.**

# Judge Threatens to Draft Own Integration Plan

NEW ORLEANS (AP)—Federal District Judge J. Skelly Wright said Wednesday he would submit his own plan to integrate public schools here if the Orleans Parish School Board failed to produce a plan by Monday.

Wright's statement was made to Gerard Rault, special attorney for the board, who sought a delay in the proceedings pending a test of a 1956 law pertaining to school segregation in Louisiana.

"I will tell you now publicly what I have already told you in Chambers," Wright told Rault. "I am not going to hold any member of the school board in contempt if they do not present a plan by May 16 [illegible] but if they do not present a plan, I will come up with one."

Last July Wright suggested gradual integration, starting with the first grade and progressing each year until all grades are covered.

In the latest development, Wright rejected Rault's motion to delay his order while the board could appeal to the Fifth U.S. Circuit Court of Appeals.

# SCHOOL POLL HELD AT NEW ORLEANS

## Parents Asked of Classes Should Be Shut Down to Avoid Integration

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, April 30—Parents of this city's 91,846 public-school students were asked this week whether the schools should be closed if necessary to prevent desegregation.

Cards were mailed to whites and Negroes with the request that they check one of the following preferences:

¶"I would like to see the schools kept open even though a small amount of integration is necessary."

¶"I would like to see the schools close rather than be integrated even in small amounts."

Cards of different colors were used to that the Orleans Parish (County) School Board could determine the sentiment of each race.

Lyold J. Rittiner, board president, said the poll would "let us know how parents feel" and "wake up the people to the problems they face."

He said that the board would not necessarily be bound by the poll in its efforts to find a way out of the crisis raised by 1956 Federal court desegregation ruling. Some informed persons here believe that the ultimate choice between complying with that order or closing the schools must be made by September.

Mr. Rittiner noted that he and three other board members felt segregation was best for both races. However, he said that they wanted to continue to operate the schools even if forced to desegregate them.

The fifth member, Emile A. Wagner Jr., declared that "as terrible as it would be, the closing of the schools would be the least of the evils."

### Races Termed Unequal

Mr. Wagner said he took this position because of the "basic inequality" of the races.

"I don't know whether this inequality is innate," he said. "I hope that it is not. But we shoulde bend every effort to erase it if possible before attempting any type of integration."

The lawyer is the author of a law that restricts to a legislative committee the power of determining whether a New Orleans school shall desegregate. The state courts have upheld its validity but Federal District Judge J. Skelly Wright has ruled it unconstitutional.

However, the school board lawyers contend that the law is still in effect. They cited it this week in requesting Judge Wright to vacate an order directing the board to submit a desegregation plan May 16.

Mr. Rittiner said the board had not drawn up a plan.

"Whether we have integrated schools, segregated schools or no schools at all in Orleans Parish depends on Judge Skelly Wright," he asserted.

The legal attack against segregation here has been shuttling through the Federal Courts for eight years. But virtually every person questioned about the matter said there seemed to be no general awareness of the serious implications of the controversy.

Opposition to desegregation appears to be stronger among the whites here than in some other Southern cities because they are outnumbered in the public schools, 50,383 to 41,463.

Approximately 63 per cent of the city's students attend public schools. About 32 per cent are enrolled in the Roman Catholic parochial system and 3.4 per cent in other private schools.

Officials of the Catholic system have said that it would be desegregated no later than the public schools.

Parents and other persons concerned with the threat to the public schools announced this week the formation of an organization called Save Our Schools. A statement said its only goal was "the continuation of public education."

### Integration Not Argued

"S. O. S. hopes that all parents and citizens will conclude that the closing of the public schools is a totally unacceptable alternative," the statement said. "S. O. S." does not propose to argue the merits of segregation versus desegregation, of states' rights versus Federal rights. S. O. S. has a single aim: to champion children's right to a public education."

Mayor de Lessepps S. Morri-

son has said that "we are not going to have a Little Rock here." But his administration is taking the position that the solution is up to the school board, over which the city government has no control.

A business leader said that most business men had failed to "realize that the crisis is here." In some circles, he contended, "it's considered a little uncouth to discuss it at all."

Dr. Daniel C. Thompson, Professor of Sociology at Dillard University, a Negro institution, argued that many whites had no understanding of the deep unrest among the people of his race. He also said few of them were aware that the new Negro leadership was independent of white control.

However, some persons declared that when desegregation could be postponed no longer New Orleanians would accept it peacefully, although with great reluctance.

One of those voicing this opinion was Label A. Katz, a New Orleans real estate man and international president of B'nai B'rith, a Jewish service organization.

"Because of the cultural background of our people, the international flavor of our city and our citizens' respect for law and order, I have confidence that the desegregation of our public schools will take place in a peaceful and lawful manner," he said.

# SCHOOL CRISIS DUE FOR NEW ORLEANS

## Board Hints of Closings as White Parents' Poll Backs Action to Bar Mixing

Special to The New York Times.

NEW ORLEANS, May 7—White parents here have voted overwhelmingly in a School Board poll to close the public schools rather than accept even token desegregation.

Negroes, however, have indicated by a greater margin a preference for maintaining public education. The over-all total for both races showed 14,114 in favor of keeping schools open and 12,978 for closing them.

Negroes outnumber whites 50,383 to 41,463 in New Orleans schools.

The outcome of the poll, which was conducted by mail, was announced this week by Lloyd J. Rittiner, president of the School Board of Orleans Parish (county).

**Vote Surprises Official**

The official expressed surprise that so few whites—2,707 out of 15,006—had voted to keep the schools open. He was reported to have said that he would disregard the Negroes' ballots, which supported continued public education on an integrated basis, 11,407 votes to 679.

"I will abide by the wishes of the white people because they are the people who support the school system and elect us to the School Board," The Times Picayune of New Orleans quoted Mr. Rittiner as having said.

Sixty-one per cent of the whites and 47 per cent of the Negroes receiving ballots filled them out and returned them to the school board.

Parents had been asked to check one of the following preferences:

¶"I would like to see the schools kept open even though a small amount of integration is necessary."

¶"I would like to see the schools closed rather than be integrated even in small amounts."

Prior to the poll, Mr. Rittiner had said that it would "wake up the people to the problem they face."

In 1956, Judge J. Skelly Wright of the Federal District Court issued an order directing the board to end segregation. There is widespread belief in informed circles that the deadline for compliance will be this September.

**Little Awareness Seen**

However, observers said there was little awareness among most citizens of the threat posed to public education. A television station, WDSU, contended this week in an editorial:

"It seems as if most community leaders are trying to look the other way. Few people want to talk about it. Newspapers play it down. Ignoring it is not going to make the problem go away.

"It seems to us that New Orleans is dirfting in atmosphere of unreality toward a catastrophe, which, if it occurrs, could seriously hurt the city."

Judge Wright refused this week to withdraw an order requiring the School Board to submit a desegregation plan on May 16. The board's lawyer, Gerard A. Rault, had contended that a ruling in the United States Court of Appeals for the Fifth Circuit had reversed the judge's decision that a state segregation law was unconstitutional.

The law restricts to a legislative committee the right to decide whether any schools in [illegible] be desegregated.

"The court does not read the Circuit Court of Appeals decision as a reversal," said the judge. "The motion is denied."

In directing the board last July to present a desegregation plan, Judge Wright suggested that it consider phased desegregation beginning with the first grade and advancing at the rate of a grade a year.

Mr. Rault implied that the board would appeal the District Court's ruling. Mr. Rittiner said that the board had not drawn up the plan ordered by the court.

# Two Louisiana parishes ordered to desegregate

NEW ORLEANS, May 25 (AP)—Federal District Court Judge J. Skelly Wright today ordered East Baton Rouge and St. Helena Parish public schools to desegregate.

Six state-operated trade schools also were ordered to integrate.

**The order came on the heels of Wright's order for New Orleans Parish (county) schools to desegregate the first grade in the Fall term of this year.**

However, no firm limit was set for the two parishes or the six trade schools. Judge Wright's order only stated that the school board's complete integration "with all deliberate speed."

# Louisiana mixing order appealed

BATON ROUGE, La., May 27—(AP)—The stage was set today for a court integration battle after Atty. Gen. Jack Gremillion appealed a Federal Court order to desegregate schools in East Baton Rouge and St. Helena Parishes and six trade schools throughout the state.

The appeals were filed yesterday with the U. S. Fifth Circuit Court of Appeals in New Orleans.

On April 29, U. S. Judge J. Skelly Wright ordered the parish and trade schools to end segregation with all deliberate speed.

# WRIGHT ORDERS DESEGREGATION

## East Baton Rouge, Other Schools Affected

Federal district Judge J. Skelly Wright Tuesday ordered desegregation in East Baton Rouge and St. Helena parish public schools and in six state-operated trade schools.

The parish school boards and the state board of education were ordered to complete integration "with all deliberate speed." No specific deadline was set and the judge did not request definite plans for desegregation.

The trade schools listed in the orders were:

**Southwest Louisiana Trades school, Crowley.**

**Natchitoches Trade school, Natchitoches.**

**St. Helena Parish Trade school, Greensburg.**

**Sowela Vocational-Technical school, Lake Charles.**

**T. H. Harris Trade school, Opelousas.**

**Shreveport Trade school, Shreveport.**

Tuesday's judgments and orders followed a summary ruling ordered against the same boards April 29.

**JUDGMENTS ISSUED**

The judgments against school boards in East Baton Rouge and St. Helena read, in part:

"It is ordered, adjudged and decreed (that the boards) are restrained and enjoined from requiring segregation of the races in any school under their jurisdiction and from engaging in any action which limits or affects the administration to, attendance in, or education of plaintiffs or any other Negro child . . . on the basis of race or color. . . ."

**Integration was to be started "after such time as may be necessary to make arrangements for admission of children to such schools on a racially nondiscriminatory basis with all deliberate speed."**

The East Baton Rouge ruling followed a suit filed by a Negro youth, Clifford Eugene Davis Jr., and his father, and others, against the school board and Lloyd Funchess, board superintendent.

The judgment affecting St. Helena resulted from the case of Lawrence Hall and others vs. the parish school board and J. L. Meadows, superintendent.

**INTERVENTION DENIED**

In these suits, the Negroes also asked the court to order the boards to present plans for desegregation but the judge denied the request.

**Judge Wright also denied petitions for intervention filed by parents of white children who claimed their children would suffer if integration was ordered.**

The Shreveport Trade school was ordered desegregated following a suit filed by Edward Samuel Allen and others against the state board of education.

The other five trade schools were named in a suit filed by Priscilla Angel and others also against the state board.

# Court Orders Desegregation In New Orleans

By the Associated Press

The ordering of desegregated classes in New Orleans schools highlighted today's sixth anniversary of the United States Supreme Court decision outlawing segregation in the Nation's public schools.

United States District Judge J. Skelly Wright directed public schools in the Louisiana city to desegregate next September.

The judge had advised the Orleans Parish (County) School Board to submit a plan "or I'll have one for you."

Gerald Rault, school board attorney, told the court yesterday the board had not prepared a plan because it believed "that it does not have the right to do so" under State law.

The judge then issued his order.

**Up to the Governor**

Louis G. Riecke, vice president of the school board, said afterward it was up to Gov. Jimmie H. Davis and State leaders to keep the schools open and racially separate.

But, he said, "I frankly don't see how we can keep the schools open on a segregated basis in the face of this order."

In Atlanta, Negro student leaders were uncertain whether to go ahead with plans for an integration sympathy march on the Georgia Capitol in the face of a warning by Gov. Ernest Vandiver. The Governor said he would "not tolerate . . . demonstrations which might incite violence and riots."

Roy Wilkins, executive secretary for the National Association for the Advancement of Colored People, issued a statement in New York in connection with the anniversary of the Supreme Court ruling.

**6 Pct. of Negroes Integrated**

He said that six years after that decision only 6 of every 100 Negro children in South and border States attend integrated classes.

Another Negro integration leader, the Rev. Martin Luther King, jr., protested that his being placed on trial in a segregated courtroom in Montgomery, Ala., would violate his constitutional rights.

That action and other pretrial motions led to postponement until tomorrow of the minister's arrainment on charges of filing false State income tax returns. Law officers were out in force at the courthouse, but nothing happened.

Twenty-four Negro students—four of them girls—were arrested during a sitdown at a lunch counter for white persons at the S. H. Kress & Co. store in Chattanooga, Tenn.

In Detroit, the S. S. Kresge Co. said its policy is not to file complaints against sit-in demonstrators at its variety store lunch counters in the South. At the same time, the company said it is obeying laws and customs in Southern cities where integration is prohibited.

# Judge Orders New Orleans Integration

From News Dispatches

NEW ORLEANS, May 16 Federal District Judge J. Skelly Wright today ordered New Orleans public schools to desegregate their first grade classes in September.

Wright, holding true to his promise that he would come up with a plan of his own if the School Board didn't submit one by today, ordered integration for the first grade only.

The School Board earlier told the court that it couldn't offer a plan because according to state law, all integration matters are in the hands of the Legislature.

Wright's order said that with the beginning of school in September, 1960, all public schools in the city of New Orleans shall be desegregated in accordance with the following plan:

"A. All children entering the first grade may attend either the formerly all-white public school nearest their homes, or the formerly all-Negro public school nearest their homes, at their option.

"B. Children may be transferred from one school to another, provided such transfers are not based on consideration of race."

School Board Attorney Gerard Rault said he planned to confer with the Board before announcing any plan to counteract Judge Wright's order. Rault said he had no plan yet.

There were these other racial developments:

• Gov. Ernest Vandiver of Georgia issued a "clear warning" that anti-segregation demonstrations by Negroes will not be permitted on the Capitol grounds in Atlanta. A peaceful march had been planned for today, the sixth anniversary of the Supreme Court's decision declaring public school segregation unconstitutional.

• Four FBI agents began a check of voting registration books in McCormick County. C. S. McCormick was one of four Southern counties singled out by U. S. Attorney General William P. Rogers for the first application of the new civil rights law.

# MIXING IS ORDERED FOR FIRST GRADERS

## Judge Issues N.O. Plan to Start in Sept.

Desegregation of the Orleans parish public schools next September was ordered Monday by Federal District Judge J. Skelly Wright.

The order, in the form of a short minute entry, was filed by Judge Wright with the clerk of court shortly after noon and contained a general plan for the integration.

That plan provided that all children entering the first grade may attend either the formerly all white public school nearest their homes, or the formerly all Negro public school nearest their homes, at their option.

He ruled that children may be transferred from one school to another, provided such transfers are not based on consideration of race.

Judge Wright did not mention other grades in his plan, but in July, 1959, when he ordered the school board to present a plan for desegregation by March 1, 1960, he suggested that the desegregation begin with the first grade, progressing one grade each year. He later extended the deadline for the school board to present the plan until Monday.

### ANSWER BY RAULT

About two hours before Judge Wright filed his plan, Gerard A. Rault, special attorney for the board in its fight against integration, filed a brief answer to the judge's order that the board present a plan.

The answer stated, "Now into court, through its undersigned counsel, comes defendant Orleans parish school board, and respectfully advises the court that it has not prepared a plan for the integration of the New Orleans public schools, because defendant board believes that it does not have the right to do so under the provisions of Act 319 of the Legislature of the state of Louisiana for 1956."

The school board's latest efforts to avoid integration have been based on Act 319 which gives to a legislative committee the exclusive right to designate which schools shall be all white and which shall be all Negro and stipulates that only white teachers shall teach white children and only Negro teachers shall teach Negro children.

### UPHELD ON APPEAL

Judge Wright has held Act 319 unconstitutional and his action has been upheld by the United States fifth circuit court of appeals.

Last week Rault asked Judge Wright to vacate his injunction against segregation and the order for the board to present a plan of desegregation but the judge denied the motion and told Rault:

"I will tell you now publicly what I have already told you in chambers. I am not going to hold any member of the school board in contempt if they do not present a plan by May 16, but if they do not present a plan, I will come up with one. There will be a plan."

Rault has based his argument on the fact that the Orleans parish court of appeals has held Act 319 to be constitutional and the Louisiana supreme court has refused to review the matter. He contended that Judge Wright should have been guided by this decision of the state court.

Judge Wright originally ordered desegregation of the city's public schools on Feb. 15, 1956 when he ordered compliance "with all deliberate speed."

Since that time the case has been reviewed and Judge Wright upheld several times by the United States fifth circuit court of appeals and has been upheld on three occasions by the United States supreme court.

### RECENT POLL

The school board recently conducted a poll by mail of white and Negro parents of public school children and the ballot showed that white parents were overwhelmingly in favor of closing the schools rather than submit to integration.

Negro parents voted heavily to keep the schools open, but after the poll Lloyd J. Rittiner, school board president, said that the board would not consider the Negro vote but would be guided by the vote of the white parents since they contribute more to the financial support of the schools.

The public school system has approximately 41,000 white pupils and 50,000 Negroes.

About 75 Negroes crowded into Judge Wright's court Monday at 10 a. m. apparently expecting a hearing on the school question, but left the building when informed by a court attache that there was no hearing set.

A. P. Tureaud, the attorney for the National Association for the Advancement of Colored People who has represented the 38 Negro plaintiffs since the suit was filed, was also in court. He called Judge Wright's plan a "stairstep plan" for the eventual integration of the entire school system.

## APPEAL IS CERTAIN SAYS GREMILLION

Regarding Judge Wright's decree, Louisiana Attorney-General Jack P. F. Gremillion, in Baton Rouge, issued the following statement:

"So far the litigation has been betwen the school board, on the one hand, and the NAACP and the federal government on the other. I have been in constant touch with school board attorneys. I'm certain that the school board will appeal any and all decisions of Judge Wright in this matter. All such appeals will be completed and legally exhausted. The state hasn't actually entered the picture yet, but will do so at the proper time."

# Text of Order Ordering N.O. School Mixing

The text of Judge J. Skelly Wright's order desegregating Orleans parish public schools follows:

"It appearing that on Feb. 15, 1956, the defendant herein was ordered to desegregate the public schools in the parish of Orleans with all deliberate speed; it appearing further that on July 15, 1959, the defendant herein was ordered to file a plan of desegregation by March 1, 1960; it appearing further that on Oct. 9, 1959, the time for filing the plan was extended to May 16, 1960; it appearing further that on this date, May 16, 1960, the defendant has failed to file a plan,

"It is ordered that, beginning with the opening of school in September, 1960, all public schools in the city of New Orleans shall be desegregated in accordance with the following plan:

"A. All children entering the first grade may attend either the formerly all-white public school nearest their homes, or formerly all-Negro public school nearest their homes, at their option.

"B. Children may be transferred from one school to another provided such transfers are not based on consideration of race."

# U. S. Court Orders New Orleans To Start Pupil Integration in Fall

## Outlines Grade-a-Year Plan After Board Refuses to Present Own Proposal

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, May 16—Federal District Judge J. Skelly Wright today set September as the deadline for desegregating the city's schools.

He also outlined a grade-a-year desegregation plan to be followed by the Orleans Parish School Board.

The order came less than three hours after the board had formally refused to present a desegregation proposal of its own as directed by Judge

Wright.

Board spokesmen said they had not decided whether the ruling would be challenged before the Fifth Circuit Court of Appeals.

The order posed a threat to the continuation of public schools here because of the conflict with Louisiana's anti-integration law. And it seemed likely that the city would be the first in the Deep South to choose between compliance and closing its schools.

Associated Press Wirephoto

**Federal District Judge J. Skelly Wright in chambers in New Orleans yesterday.**

The District Court's action might also lead to the desegregation of the Roman Catholic parochial system. Thirty-two per cent of the city's pupils are enrolled in the Catholic schools; 63 per cent attend public schools and 4.4 per cent attend private schools.

The Most Rev. Joseph Francis Rummel, Roman Catholic Archbishop of New Orleans, has said that the parochial schools would be desegregated "no later than" the public schools. A spokesman in his office noted today that "this is the already announced goal" but said no further comment would be made at present.

In his two-paragraph ruling, Judge Wright noted that the parish school board had been told to desegregate "with all deliberate speed" on Feb. 15, 1956. He also pointed out that he had postponed the deadline for submitting a plan from last March 1 until today. Then he stated:

"It is ordered that beginning with the opening of school in September, 1960, all public schools in the city of New Orleans shall be desegregated in accordance with the following plan.

"A. All children entering the first grade may attend either the formerly all-white public school nearest their homes, or the formerly all-Negro public schools nearest their homes, at their option.

"B. Children may be transferred from one school to another provided such transfers are not based on consideration of race."

The plan generally follows the "stair step" desegregation system that began its third year of operation at Nashville, Tenn., last September. That plan has withstood tests in the Federal Appellate courts.

**Plan Called 'Ambiguous'**

Lloyd J. Rittiner, school board president, termed Judge Wright's desegregation plan "ambiguous." He also said that "what appears to be a very simple plan is not so simple."

He said many pupils, both white and Negro, did not attend the school nearest their homes because of over-crowding. Some are transported across the city.

The board president cited the results of a recent postal card poll conducted by the school board showing that most white parents preferred to close the schools rather than accept any desegregation.

Mr. Rittiner said he would confer with other board members on holding a special meeting to consider Judge Wright's order. Otherwise, it will be taken up at the regular meeting next Monday night.

# Deadline for New Orleans

NEW ORLEANS — Less than three hours after New Orleans school officials refused to submit a school desegregation plan, Federal District Judge J. Skelly Wright acted Monday to set a September deadline for a start of school desegregation.

Noting that the New Orleans Parish School Board had been ordered to desegregate "with all deliberate speed" in February, 1956, Judge Wright pointed out that he had postponed the deadline for submitting a desegregation plan from last March 1 to Monday.

* * *

**SINCE THE STATE** of Louisiana has a law under which all schools in a district close if one is ordered to integrate, it is possible that New Orleans may become the first city in the Deep South to choose between compliance and closing its schools.

It is seen possible also that the court's action may lead to the desegregation of the city's Roman Catholic Parochial system which provides schooling for 32 per cent of the city's pupils.

He then outlined a grade-a-year desegregation plan which is slated to go into effect at the start of the fall semester.

School board spokesmen said that they were undecided whether to appeal the order to the Fifth U.S. Circuit Court of Appeals.

The Most Rev. Joseph Francis Rummel, Roman Catholic Archbishop of New Orleans, has said that the parochial schools would be desegregated "no later than" the public schools.

Spokesmen in his office, however, declined comment.

* * *

**THE DOLLARWAY SCHOOL** District, which avoided school desegregation last year only through a series of court appearances calculated to result in delay, has run out of stalling room.

The district had been expected to become the focal point in last fall's Arkansas school integration struggle after three colored pupils were ordered admitted to the school near Pine Bluff.

The board appealed its case and obtained what amounted to a delay in the admission of the colored pupils.

The following months saw recurrent appearances of the board in Federal District Court to advance and defend its plea that it needs "more time" in order to make "a peaceful and lawful transition" to a desegregated system.

* * *

**AFTER CONSIDERABLE** delay, the board drafted and submitted a desegregation plan in which the board promised to assign first-grade pupils "insofar as possible" to the schools of their parents' choice next fall.

The board, however, said it would frown on requests for transfers across racial lines of pupils above the first grade who are attending either the Dollarway white or colored school.

Judge J. Smith Henley approved the school board plan although, George Howard Jr., attorney for the colored parents, argued that the board should make it clear that it intends to start desegregation in a certain grade and at a specific time.

# U. S. Judge Will Not Help New Orleans

## Deny Plea For Stay On Partial Integration

NEW ORLEANS, June 2 (AP)—The U. S. Fifth Circuit Court of Appeals dealt the Orleans parish (county) School Board another setback today, denying a request for a stay of an order for partial integration in the city's public schools next September.

Judge Ben F. Cameron dissented in the decision given by Judges Elbert Parr Tuttle and John Minor Wisdom.

The ruling said merely that the appeal for a stay of Federal District Judge J. Skelly Wright's order on May 16 had been fully considered and thes ame is hereby denied."

The school board's appeal said that it "is clear under the law that the district court has no power to order the public schools of this city integrated, nor has it the power to present and put into effect its own plan for integration."

"Nevertheless," the appeal continued, "the district judge acting alone, held a state statute reserving to the Legislature . . . the right to classify as white, Negro or integrated unconstitutional, and directed defendant (school) board to present a plan to integrate the public schools of New Orleans."

School board attorney Gerard Rault also contended the board "is and has been uncertain as to its rights and obligations with respect to the classification of public schools, as said rights and obligations depend upon the constitutionality or unconstitutionality of the Louisiana law discussed herein."

The board's appeal said it felt that a stay of Wright's order is "not only warranted and justified by necessary."

Wright's order said that Negro students next September would be integrated in the first grade of public schools in a gradual desegregation process.

# Orleans Schools In Court Setback

## Request For Integration Stay Is Denied, 2-1

NEW ORLEANS, June 2.—(AP)—The United States Fifth Circuit Court of Appeals dealt the Orleans Parish School Board another setback Thursday, denying a request for a stay of an order for partial integration in the city's public schools next September.

Judge Ben F. Cameron dissented in the decision given by Judges Elbert Parr Tuttle and John Minor Wisdom.

The ruling said merely that the appeal for a stay of Federal District Judge J. Skelly Wright's order on May 16 had been "fully considered and the same is hereby denied."

The school board's appeal said that it "is clear under the law that the District Court has no power to order the public schools of this city integrated, nor has it the power to present and put into effect its own plan for integration."

"Nevertheless," the appeal continued, "the district judge acting alone, held a state statute reserving to the Legislature . . . the right to classify as white, Negro or integrated unconstitutional, and directed defendant (school) board to present a plan to integrate the public schools of New Orleans."

School board attorney Gerard Rault also contended the board "is and has been uncertain as to its rights and obligations with respect to the classification of public schools, as said rights and obligations depend upon the constitutionality or unconstitutionality of the Louisiana law discussed herein."

In a matter "of such vast importance to the people of this state," the appeal said, "a court of last resort should be given opportunity to pass upon the constitutionality of the act before any further action is taken in this matter."

date for submitting plans of desegregation.

The East Baton Rouge Parish school board, Lloyd Funchess superintendent, defendants in the suit brought by Clifford Eugene Davis Jr., filed the appeal last week and notified Atty. A. P. Tureaud, New Orleans, who represented the plaintiffs.

■

**THE SCHOOL** board's appeal was filed by Atty. Gen. Jack P. F. Gremillion, his assistants, George M. Ponder and William P. Schuler, and by District Attorney J. St. Clair Favrot.

**Judge Wright, in the U. S. District Court, April 28, ordered an end to segregation in the East Baton Rouge and St. Helena Parish public schools; also in trade schools of Opelousas, Greensburg, Crowley, Natchitoches, Lake Charles and Shreveport.**

The decisions resulted from four separate suits brought by Negroes, charging the maintenance of jim crow schools violated the Constitution of the United States.

# Appeal Desegre... Edict in New Orleans

BATON ROUGE—An April 28 Federal Court ruling which ordered the desegregation of public schools here has been appealed to the U. S. Court of Appeals for the Fifth Circuit, New Orleans.

Judge J. Skelly Wright has ordered an end of school segregation here but did not set a definite

# CLOSING ACTION DISCUSSED BY TRIO OF SCHOOL BOARD

## Hears Plans for Staff in Event of Shutdown

Three of the five Orleans parish school board members met Thursday despite warnings from the attorney general and heard plans for staff operations should schools be closed in September.

A fourth member, Emile A. Wagner Jr., walked out of the meeting when colleagues paid no heed to his motion that the planning be tabled and the meeting be adjourned.

**Wagner stalked out abruptly after saying the board had no constitutional authority to close public schools and therefore no right to make plans for their closing.**

The meeting continued without Wagner as Dr. James F. Redmond, superintendent, and members of his staff outlined the plans in question.

At the close of the session, board president Lloyd J. Rittiner and members Matthew R. Sutherland and Louis G. Riecke instructed Dr. Redmond to "proceed with this study unless stopped by some injunctive order."

**GREMILLION WARNING**

Rittiner called the meeting despite two warnings from Attorney General Jack P. F. Gremillion that the board would act without authority.

**Gov. Jimmie H. Davis, earlier in the day, told Rittiner by telegram that "I don't need or require under the law any information from the school board relative to closing of the schools."**

**"I intend to do everything to keep the schools open and segregated," Davis said.**

Rittiner replied to Davis that he felt it his duty to see that the board proceed with the meeting.

"I certainly hope that you will be successful in keeping the schools open and segregated," he wired the governor.

**ANSWERS TO DAVIS**

"However, there are many problems that can't be solved at the last minute if your efforts fail. I am sure that when we see the results of the meeting today, that you will understand why the holding of such a meeting was necessary."

The board room in the school administrative building at 703 Carondelet was crowded with spectators as the meeting opened.

**Wagner took the floor almost immediately and read a prepared statement which ended with his motion to table planning and adjourn.**

"The plain fact is that the governor and the governor alone has the right to keep the schools open on a segregated basis or in his discretion, to close them," Wagner said.

"He has repeatedly said that he will open the schools Sept. 8 racially segregated and will continue to operate them in that manner.

"Apart from our lack of jurisdiction, it does not behoove us as a political subdivision of the state to make plans for the closing of schools when the state itself plans to keep them open.

**"Moreover, the attorney general has warned the school board that the planning for closed schools either violates the injunction now restraining it or affords grounds for another injunctive proceeding, and both the governor and the attorney general have clearly informed the board by wire that the state does not want the board to consider or make plans for closed schools.**

"I do not know who is advising the president and the members of the board in agreement with him, but I must warn them and him that, by persisting in holding this meeting against the express wish of the governor and attorney general, they are flaunting the state itself, the very source from which flows whatever powers the school board enjoys.

"This can only lead at best to future litigation in which the school board and its individual members will emerge the losers or at worst, to the recall by the Legislature of the school board members themselves."

**The board's special attorney, Gerard A. Rault, told the board he did not believe the meeting was "in any way in contempt" with a civil court order enjoining the board from taking any action toward reclassifying schools.**

Wagner asked Rault if the meeting could be the basis for another injunction by the court.

"It is possible," Rault answered.

A few minutes later, Wagner walked out to the applause of spectators.

Staff members then outlined to the board procedures to be followed if schools are closed.

Earlier in the day, Gremillion sent Rittiner this telegram:

"The governor is the only person who can authorize closing of the schools. This is provided by Louisiana law. In the event of closure of schools, all employes will be paid as provided by Louisiana law.

"If schools are closed, which I doubt, no public funds could be used for the education of children. I fail to see where any purpose could come from the school board meeting with this purpose in mind, as there is no authority for such action."

**Wednesday, Gremillion had warned the board that holding the meeting might constitute a contempt action. He said any discussion of plans for closing schools was "beyond the school board's authority."**

Judge Oliver P. Carriere last week issued a preliminary injunction forbidding the board from taking any action toward reclassifying public schools. The injunction, in effect, prevents the board from complying with a federal court order to integrate schools at the start of the school term Sept. 8.

Gerard A. Rault, special attorney for the board, advised Rittiner Wednesday that Thursday's meeting would not violate the court injunction.

Since the injunction, the board's administrative staff has been working on only one plan for problems which face the system — that of staff problems which will arise if the schools are closed.

Prior to the court's injunction, Dr. James F. Redmond, superintendent, had been ordered to prepare plans for three possible situations — closed schools, integrated schools or continued segregation. The injunction ruled out any planning for integration or continued segregation.

**In a letter to Rittiner Wednesday, Gremillion warned that recently enacted legislation provides for Gov. Davis to take over operation of public schools on the day the federal order to integrate becomes effective.**

Gremillion said that any attempt by the board to plan for the closing of schools "is as much beyond the board's authority as planning for the integration of the schools."

Rittiner replied that Rault had advised the board it would not violate the court's injunction by meeting to discuss staff problems resulting from school closure. He also said it is the board's intention to "co-operate with the state in any way possible."

# Judge Refuses Integration Bar

NEW ORLEANS — (UPI) — Civil District Judge Oliver P. Carriere Monday denied Louisiana Atty Gen. Jack P. F. Gremillion a temporary restraining order to prevent racial integration of New Orleans first grades in September.

Gremillion sought the restraining order to keep the Orleans Parish (County) school board from taking action until the court hears a request for a temporary injunction against any change in the city's system of classifying Negro and white pupils.

The hearing on the request for the injunction will be Friday.

'The court is of the opinion that no immediate and irreparable injury, loss or damage will result to the applicant (Gremillion, before notice can be served and a hearing had on the application for a preliminary injunction," Judge Carriers ruled.

However, the judge said his ruling was not to be construed as having any bearing on whether the injunction should be issued.

The action put off Gremillion's attempt to keep the New Orleans school Bd. from doing anything to carry out a federal court order to integrate until the July 29 petition asking for the injunction can be heard. A U. S. district judge has ordered the board to integrate the first grades in September.

The request for an injunction by the Attorney General is based on 1956 and 1960 state laws which reserve to the legislature the right to classify schools according to race.

# School Board, Official Clash Over Closing

## Attorney General Fears Mix Attempt In New Orleans

NEW ORLEANS (AP)—Emphasizing that closing the schools is not a simple matter, Orleans Parish School Board President Lloyd M. Rittiner says he is going ahead with a scheduled board meeting today, despite a contempt warning from State Atty. Gen. Jack Gremillion.

The meeting will hear a report by Supt. James F. Redmond on possible problems that might crop up next month if the school system is shut down.

Pointing out yesterday that the board was willing to cooperate with the state, Rittiner said, however, it won't be simple to close the public schools because "93,000 children and 5,000 school employees will be effected and are vitally concerned. A physical plant worth $100 million cannot be abandoned."

Gremillion sent a letter to Rittiner telling him the planned meeting was "beyond the school board's authority," and conflicts with a civil court preliminary injunction preventing the board from making plans to integrate the schools.

**DIRECTED TO MIX**

A federal court order has directed the school board to proceed with integration of first

# New Orleans Judge Rules Against Integration Order

NEW ORLEANS (AP)—Civil District Judge Oliver Carriere Friday issued an order preventing the Orleans Parish (county) School Board from complying with federally-directed integration in the city's public schools this September.

Louisiana Atty. Gen. Jack P. F. Gremillion asked for the preliminary writ of injunction to restrain the school board from making any plans to reclassify public schools.

Judge Carriere ruled that his court had jurisdiction over the matter and that Act 496 of the 1960 Louisiana Legislature is constitutional.

The act reserves to the state legislature the sole authority to classify schools.

U.S. Dist. Judge J. Skelly Wright on May 11 directed the school board to desegregate the city's public schools in the first grades when schools open this fall.

Gremillion contended the school board lacked this authority.

Carriere's decision touched on the possible conflict between federal and state courts.

But, citing past cases Carriere ruled "there is no objection to a subsequent action in another jurisdiction, either before or after judgment, although the same issues are to be tried and determined; and this because it neither ousts the jurisdiction or the court in which the first suit was brought, nor does it delay or obstruct the exercise of that jurisdiction, nor, lead to a conflict of authority. . ."

Judge Carriere said that Act 496 provides the machinery for the integration of public schools in Louisiana. He said since the legislature can act with "all deliberate speed" to admit children to public schools "on a racially non-discriminatory basis," the act satisfies "the letter and spirit of the requirement of the doctrine set by the U.S. Supreme Court" in an earlier case.

Atty. Gerard Rault, who represented the school board, said at an earlier hearing the board had authorized the city's public school superintendent to:

Study and make plans for an integrated school system this fall.

Study and make plans for a segregated school system this fall.

Study administrative procedures to be taken if the public schools are closed this fall.

Gremillion said the school board was well outside its authority to even entertain plans to reclassify schools.

The school board said it would not challenge the injunction if it were issued.

Wright's order said that "all public schools in the city of New Orealns shall be desegregated in accordance with the following plan:

"All children entering the first grades may attend either the formerly all-white public school nearest their homes, or the formerly all - Negro public school nearest their homes, at their option.

"Children may be transferred from one school to another, provided such transfers are not based on consideration of race."

Carriere's decision said the United States constitution "does not require integration; it merely forbids discrimination.

"Consequently," his ruling continued, "the Orleans Parish School Board, for example, may decline to open the public schools in New Orleans and violate neither the order of the United States District Court nor the order of the state court."

The judgment named all members of the school board, as well as the school board as a state agency.

Neither Gremillion nor Rault had any comment after the ruling, but school board member Emile Wagner, who helped draft Act 496, said he believed "this to be a proper and fair ruling."

Negro attorney A. P. Tureaud, New Orleans counsel for the National Assn. for the Advancement of Colored People, filed a suit in federal court Thursday asking that Gremillion be restrained from preventing the school board from complying with Wright's order. A hearing on Tureaud's motion is set for Aug. 10.

# New Orleans Parish Warned Against Closing Schools

NEW ORLEANS (AP)—Louisiana Atty. Gen. Jack Gremillion warned members of the Orleans Parish (county) school board Wednesday they might invite contempt citations or other legal action if they conduct a meeting to discuss closing public schools.

In a letter to board president Lloyd J. Rittiner, Gremillion said the meeting planned for Thursday is "beyond the school board's authority" and constitutes contempt of a preliminary injunction against the board from taking action toward reclassifying schools.

Rittiner called the meeting to allow board members to hear school Supt. James Redmond's report on the problems to be considered by the staff in the event the schools are closed.

**SCHOOL BOARD**

Federal District Judge J. Skelly Wright on May 11 ordered the school board to desegregate the city's public schools in the first grades next September.

But the state contended the school board had no authority to comply with Wright's order and last week, state civil district Judge Oliver Carriere issued the injunction preventing the board from reclassifying schools from their present integrated status.

Rittiner said it is not the intention of the board "to fight either Gremillion or the governor in this. . . because we not only need their help but solicit it."

Gremillion's letter said that any attempt to make plans involving the closing of schools "is as much beyond the school board's authority as planning for the integration of the schools.

"It appears," the letter said, "that you may render yourself and the board either subject to contempt proceedings or further injunctive proceedings if you persist in holding such a meeting."

But plans for conducting the meeting, Rittiner said after receiving the letter, still stand "as of now."

**N. O. Catholics**

# Ask Archbishop to Integrate Schools

By JOHN E. ROUSSEAU

NEW ORLEANS—Petitions urging Archbishop Joseph Francis Rummel to integrate local Catholic churches were being circulated last week in various Negro communities, the Courier learned. It is estimated that several thousands of signatures have been affixed. However, it was not learned if the petitions had been turned in to the Archbishop.

The petition states:

"Most Reverend Joseph Francis Rummel, S.T.D., Archbishop of New Orleans:

"We, the undersigned members of your flock, in the face of the impending crisis of school integration, humbly present a petition to Your Excellency.

**"We daily are subjected to discussions of integration from legal, social, financial and pragmatic viewpoint. However, as your Excellency has taught us, we consider it to be fundamental.**

"As a religious issue its solution rests in the triumph of Christian justice and charity in the hearts of men.

"Therefore, to hasten this much desired solution, we beg your Excellency to declare a day of recollection and prayer throughout the Archdiocese.

**"As Catholics we are confident that Christ will abundantly bless this Catholic family and help to mend this artificial and unjust cleavage in His Mystical Body.**

"May we respectfully add that it is our present and constant prayer that your Excellency will see fit to remind the community that the Church is and always has been a leader in questions of moral and religious nature. It is our prayer that you will do this by integrating Catholic schools this fall."

# N. O. Schools Lose Segregation Plea

## Supreme Court Upholds Order For Integration In Houston

WASHINGTON, Sept. 1 (UPI)—The Supreme Court refused today to halt scheduled integration of first grade classes this Fall in the New Orleans, La., and Houston, Tex., public school systems.

It also declined to interfere with a lower-court order directing the admission of at least 22 Negro students into the Wilmington, Del., school system at every grade level this month.

The high tribunal struck down petitions seeking to block desegregation in the two Southern cities. They were filed this morning by attorneys for the State of Louisiana and the Houston Independent School District.

But the Supreme Court justices, acting without comment, upheld a lower court order to postpone the start of integrated first-grade classes in New Orleans from Sept. 6 until Nov. 14.

**Plea Denied**

The National Association for the Advancement of Colored People (NAACP) has appealed to the high court to cancel the New Orleans delay, approved earlier this week by Federal Judge J. Skelly Wright. Houston schools now are under court order to integrate first grades next week.

In a related decision, the justices refused to set aside an order directing the Wilmington, Del., school board to present a plan for complete integration within 30 days. The plan would go into effect when schools open in the Fall of 1961.

Its rulings also would have the effect of permitting 22 Negro students—the same ones who originally tried to enter the previously all-white Wilmington School System—to attend classes with white students this Fall.

Wilmington schools integrated the first grade classes last year under a "staircase" plan to end racially separate schools gradually. This approach was rejected by the Third Circuit Court of Appeals in its order directing a speed-up toward full integration.

Eight members of the nine-man court disposed of the petitions a few hours after they were filed this morning. Justice William O. Douglas participated in the decision by telephone from his home state of Washington.

Louisiana had asked for return of the control over its public schools to Gov. Jimmie Davis pending further legal battles against an integration order.

Davis had pledged to open the schools on a segregated basis. State attorneys said the integration plan was impractical and could lead to a breakdown of Louisiana's education system.

Houston said it would lose $6 million a year in state aid because of a Texas law forbidding aid to integrated schools unless a majority of the citizens in the community vote to end desegregation.

To fight school integration—

# Louisiana group trains sights on mixing crisis

NEW ORLEANS, Aug. 22—(AP)—Louisiana's new State Sovereignty Commission, dedicated to preservation of states' rights and segregation, swung into action today in hopes of formulating a plan to cope with the New Orleans school integration crisis.

The commission planned both closed and open hearings to discuss methods of helping solve the problem.

**As it stands, the problem is: A federal court has ordered the Orleans Parish School Board, which runs all public schools in New Orleans, to integrate first grade classes next month. A state court later ordered the board not to comply with the federal ruling. Then Gov. Jimmie Davis took over administration of New Orleans public schools to prevent integration.**

DAVIS SAID the schools would open Sept. 7 on a segregated basis. However, Mayor DeLesseps Morrison said the city attorney had "grave doubts" the governor could carry out this plan.

Davis is planning a half-hour telecast Thursday night. He has asked TV stations for the time as a public service for a report to the people. It was indicated he would discuss the school situation.

**On Friday, a three-judge federal court will convene to hear two school cases. One case was filed by the National Assn. for the Advancement of Colored People. It seeks to prevent the state from interfering with the integration order. The other, filed by 31 white parents, seeks court action to prevent closure of the schools.**

UNDER STATE LAW, the governor has authority to close all schools in the state to prevent integration in any one.

Another federal court ruling ordered desegregation "with all deliberate speed" in Baton Rouge and St. Helena Parishes, but no date has been set.

# USE OF PLACEMENT STATUTE INDICATED

## Gremillion Goes to Ala. to Study Act, Belief

School board president Lloyd J. Rittiner said Thursday that Gov. Jimmie H. Davis relieved him of contract signing duties.

**Also Thursday belief heightened that Davis would use the state's pupil placement law to retard integration of public schools.**

The governor's Executive Order No. 1, issued Wednesday, seized control of New Orleans public schools.

The order called for a special registration of new students Sept. 2 requiring detailed information, including race, about themselves and their parents.

**TO STATE CHOICES**

**The order requires new students also to state the first and second choice of schools they wish to attend.**

**Information sought in the special registration matches some requirements of the pupil placement law.**

The law would allow a school board to decide on the school placement of pupils based on grades, health standards and other considerations.

It has been successfully invoked in other Southern states—including Virginia and North Carolina—to hold integration to a small scale.

**MODELED ON ALABAMA**

**Louisiana's pupil placement law is modeled word for word on an Alabama law which has been declared constitutional, if not abused in its administration.**

**Supporting belief that Davis is poised to invoke the law is Louisiana was Attorney General Jack P. F. Gremillion's departure Thursday from Baton Rouge to Montgomery, Ala.**

**It appeared that Gremillion's reason for going to the Alabama capital might be to study that state's application of the placement law.**

Earlier, Gremillion said it was "entirely possible" that the law would be put into effect, but that the decision would be the governor's.

**STAFF MEETING TODAY**

Meanwhile, in Monroe, where he was attending a meeting of Louisiana school superintendents, Orleans parish supt. James F. Redmond said he called a staff meeting for 10 a. m. Friday to "explore and study" Davis' directive.

Davis, in taking over control of the schools, named Redmond as his agent to run them. The governor ordered the schools opened Sept. 7, a day ahead of schedule.

Redmond said he will meet with his staff to plan the student registrations.

**He agreed that Davis' student registration plan affects only new students—first graders or more advanced students enrolling in New Orleans schools for the first time.**

**"Most of the 90,000 students in the school system will not be involved," said Redmond.**

Rittiner earlier in the day said he was in doubt about the school board's functions and particularly his own duties regarding contracts. Board members had received no word by the governor's order, he said.

**ASKS ABOUT SIGNING**

He telegraphed Davis:

"At Orleans parish school board meeting held Aug. 15, 1960, several contracts for supplies and equipment were awarded. Also pending are other items previously advertised for bids. These contracts and other documents normally require the signature of the school board president.

"In view of Executive Order No. 1, I am uncertain who should sign contracts and documents. Will you please advise me as soon as possible."

**'REDMOND DESIGNATED'**

Davis wired back:

**"The Hon. James F. Redmond has been designated by me as my agent to perform under my direction all acts necessary to be done in my exercise of exclusive control, management and administration of all public schools in the parish of Orleans which were formerly performed under the jurisdiction of the Orleans parish school board, all in accordance with the provision of Act 496 of 1960 and in accordance with my Executive Order No. 1."**

Rittiner said he would have a meeting with other school board members "as soon as I can get the others together."

He said: "The meeting, which will have to be an informal one, will be to discuss where we stand—as individuals as well as a body."

**RITTINER DOUBTS**

Rittiner said he doubted if Davis' efforts to keep schools open on a segregated basis will succeed.

Board member Matthew Sutherland pledged co-operation with the governor in his efforts to keep schools open and segregated, but mainly expressed the hope the schools would remain open.

Said Sutherland: "It has been my consistent position that our system of segregated education does provide the maximum educational opportunity for all of our children, both Negro and white. Therefore, I will lend my whole-hearted co-operation to the governor in his endeavor.

"However I must point out that there is a serious doubt in the minds of all school board members of Orleans parish, including our most ardent segregationist (or else why would he be working feverishly to set up a private school system) that the action of the governor can succeed.

**'TRAGEDY TO CLOSE'**

"It is on this point that the board is in disagreement. . . if the governor cannot keep our schools operating on a segregated basis, I believe it would be a tragedy to close all public schools rather than attempt to work out a controlled program of limited integration.

"If limited integration cannot be maintained, then and only then, should public schools be abolished in favor of a substitute system."

Sutherland referred to board member Emile A. Wagner Jr. when he said "ardent segregationist."

Wagner, who journeyed to Baton Rouge Thursday to confer with Davis, had said earlier that he was pleased with the governor's action taking over the schools.

**'IMPRACTICAL,' VIEW**

Board member Louis G. Riecke said the registration outlined by Davis in the executive order seemed "impractical" to him. He suggested that a substitute plan might be worked out. He said that children would have to be registered by mail and that many people would not be able to file their registration properly without assistance.

The detailed information on students sought by Davis include data on sex, race, place and year of birth, mother's maiden name, father's name, birth certificate number, parents' occupations, any illnesses, name of physician who delivered child.

While parents and school officials pondered these developments, the Greater New Orleans Federation of Churches recommended to its church members that they give individual consideration to the public school issue.

The federation called on its member churches to urge their constituents to express themselves "according to the dictates of their consciences."

# Redmond Sees No Integration

**Dr. James F. Redmond said in Monroe Thursday that schools in New Orleans would open on schedule "more than likely on a segregated basis."**

**Dr. Redmond was in Monroe to attend a school superintendents meeting.**

**He asserted that Gov. Jimmie H. Davis' executive order does not mention segregation but, as Redmond put it, "legislators had segregation in mind when the statute was written."**

**Asked what the future held for schools in New Orleans, Dr. Redmond said, "Quite frankly, I don't know. I haven't even had a chance to read Gov. Davis' formal order. However, I can say that education of New Orleans children will continue just as it has in the past."**

**He said his main interest as an educator was proper education of students in the city of New Orleans.**

# Davis Calls For Rights Showdown

BATON Rouge, La. (AP)—Gov. Jimmie H. Davis said Friday the time has come for a showdown between the federal and state governments on the question of states rights.

"If they—the federal government—can do everything they are trying to do," Davis told a hastily called news conference, "the state no longer has its sovereignty."

Davis referred to the legal battle to integrate New Orleans public schools which Davis placed under his control through an executive order Wednesday.

U. S. Dist. Judge J. Skelly Wright has ordered the New Orleans School Board to integrate the first grade when schools open next month.

**STAND REAFFIRMED**

The governor reiterated his stand that the schools will open on a segregated basis.

In a case of this kind, Davis said, segregation is just one of the issues.

The time has come, he continued "to find out what we have and what we don't have."

The Louisiana governor insisted he has not been served court papers in an integration suit filed in federal court in New Orleans, although one was dropped on the doorstep of the governor's mansion, and another was tossed at his secretary in the State Capitol office.

The suit scheduled to be heard Aug. 26 before a special three-judge court seeks to enjoin the governor from interfering with federally ordered integration. It strikes at the legality of the state law empowering Davis to take over administration of schools facing integration.

# Court Order Defied

## Acts to Stop Integration

BATON ROUGE, La. — (UPI) — Gov. Jimmie H. Davis took over the public schools of New Orleans Wednesday to prevent their integration, in defiance of federal court orders.

U. S. District Judge J. Skelly Wright has ordered New Orleans schools to integrate at the first grade level next month.

**Davis signed an executive order saying he is superseding the Orleans Parish (County) School Board and taking over "the exclusive control, management and administration of the public schools formerly under its (New Orleans School Board's) jurisdiction."**

His executive order directed the schools to be opened Sept. 7. He designated James F. Redmond, former superintendent of the New Orleans public school district, as his agent to operate the schools on a segregated basis.

Attorney General Jack P. F. Gremillion said Davis' order was authorized by an act of the 1960 Legislature which makes the Legislature the sole authority in Louisiana for designating white and Negro schools.

**The same act gives the Legislature sole authority to determine how fast Louisiana schools may be integrated.**

The law under which Davis took over the New Orleans schools stipulates that further lawsuits over the schools must be filed against the state and the Legislature must first give permission for the state to be sued.

"The people of Louisiana are dead set on being left alone to run their schools as they see fit," Gremillion said. "This order is designed to let the Legislature and the Legislature alone come up with a plan for integration and to leave to them what is deliberate speed in desegregating schools."

# Louisiana Chief Acts To Bar Integration

Special to The New York Times.

BATON ROUGE, La., Aug. 17—Gov. Jimmie H. Davis of Louisiana assumed control today of a New Orleans' public schools to prevent integration scheduled for the opening of classes on Sept. 7.

The Governor acted "in his sovereign capacity" under a 1960 law. Mr. Davis named the New Orleans Parish Superintendent of Schools, James F. Redmond, as his agent to operate the schools under his direction. The Governor's office said that Mr. Redmond had agreed to the appointment.

Orleans Parish public schools were ordered by Federal Judge Skelly Wright to integrate the first grade th[illegible]ar. Mr. Davis has said frec[illegible]tly that New Orleans' schc[illegible] will remain open and seg[illegible]gated, but has refused to disclose his plans. Intervention by the Governor has been rumored and Mr. Davis has said he would go to jail if necessary to keep schools segregated.

Attorney General Jack P. Gremillion handed out copies of the executive order under which Mr. Davis took control of the schools.

The order said that Mr. Davis "as Governor of the State of Louisiana, in my sovereign capacity, do hereby supercede the Orleans Parish School Board and do hereby tatke over the exclusive control, management and administration of all the public schools in the Parish of Orleans, formerly under the jurisdiction of the Orleans Parish School Board as of this date."

### Schools Told to Open

The order directed the public schools to open Sept. 7 and directed new students to communicate with Mr. Redmond before Sept. 2. Presumably this procedure is designed to put into operation a classification system for schools also set up by the legislature and under the direction of the legislators themselves.

The law under which Mr. Davis took over control of the schools directs the legislature alone can classify schools as to white or Negro and permits the Governor to supercede school boards until such action is taken by the legislators.

Suits are pending in eFderal District Court, filed by both white and Negro taxpayers, to enjoin Mr. Davis from acting to prevent the local schools from opening. The legislative act auhorizing Mr. Davis's action stipulates that any further lawsuits concerning schools of which the Governor has taken control must be against the State of Louisiana, and that the Legislature must first give permission for the state to be sued.

Mr. Gremillion said that neither he nor Mr. Davis had been served with subpoenas in the suits. He said that he had not sought to evade service by Federal marshals.

Mr. Gremillion prepared the executive order and Mr. Davis signed it at the mansion. The Attorney General then handed out copies in the Governor's office in the State Capitol. Mr. Davis was not available for comment.

"The people of Lousiana are dead set on being left alone to run their schools as they see fit," Mr. Gremillion said. "This order is designed to let the legislature and the legislature alone come up with a plan for integration and to leave to them what is deliberate speed in desegregating the schools."

Mr. Gremillion said that a special session would be necessary before the legislature could produce a plan and also before schools could be classified or reclassified as to white or Negro.

The executive order today is the latest in a series of legal maneuvers designed to keep Louisiana schools segregated. It is the first time that Mr. Davis has entered personally into the maneuvers.

---

### Virginia Plan Approved

HARRISONBURG, Va., Aug. 17 (AP)—United States District Judge John Paul gave his conditional approval today to the Warren County School Board's geographical zoning plan for assigning high-school pupils.

John S. Battle Jr., the board's attorney, presented the plan adopted by the board yesterday and asked the court to approve it.

After more than two hours of argument on the petition by Mr. Battle and Oliver W. Hill and S. W. Tucker, attorneys for Negro children, Judge Paul approved conditionally the high school assignment plan.

The plan splits the county and the town of Front Royal into two school zones, one west of U. S. 340 and one east.

Under the plan, a pupil may not be compelled to go to a school whose enrollment predominantly is of the opposite race, and a pupil in the bottom 10 per cent of his class academically may not go into a school for the other race even though the school may have been desegregated.

# Prayer Urged On Problem Of Integration

NEW ORLEANS (AP) — The more than 617,000 Roman Catholics in the New Orleans archdiocese were asked to pray Sunday for an early solution to the New Orleans public school integration problem.

"We cannot hope to prevent or eradicate present-day lawlessness in our teen-agers by procedures which flout the school integration decision," said Archbishop Joseph Francis Rummel in a pastoral letter read in churches throughout the archdiocese.

In discussing proposals to close the public schools and replace them with private schools, the archbishop said: "Both plans have been tried and found wanting."

### COURT ORDER

U. S. District Court last May 16 ordered the schools to desegregate the first grade, beginning in September. Last week, Gov. Jimmie H. Davis, acting under a 1960 statute, took over control of the local schools and ordered them opened Sept. 7 on a segregated basis.

The archbishop asked Catholics to pray for "a propitious response to the challenge for compliance with the ruling on the integration of our public system of education."

A request for the day of prayer was sent to the archbishop last Thursday by a committee representing the 2,300 Catholic Negroes.

The pastoral letter, discussing the problem for the benefit of Catholics with children in the public schools, opened a week of activity on the school crisis.

### SEGREGATIONIST MEETING

The Louisiana State Sovereignty Commission, dedicated to states rights and segregation, scheduled a closed meeting here Monday to study the situation and discuss how to help state officials stave off integration.

The governor has asked television stations for free time for a 30-minute statewide report to the people next Thursday night.

A three-judge federal court will convene Friday to hear two school cases. One filed by the National Assn., for the Advancement of Colored People seeks to prevent the state from interferring with the order to desegregate the first grade. If this is granted, it may make unnecessary any decision in the other suit, filed by 31 white parents of public school children to ask the court to prevent the closing of the schools.

Eighteen Protestant and Jewish clergymen in Baton Range Saturday issued a statement urging state officials "and all others responsible for the operation of our schools not to interrupt, restrict or abandon public education in Louisiana." The clergymen said they spoke as individual citizens and not as representatives of their congregations or churches.

# Segregation to Be Continued in Church Schools

Parochial schools in New Orleans will be opened for the 1960-61 term next week on a segregated basis.

That was indicated late Wednesday in a statement issued by the chancery of the archdiocese of New Orleans.

The statement follows:

"The recommendation submitted by the archidocesan school board was given due consideration by the archbishop and a group of his advisors with the result that the policy hitherto announced regarding the desegregation of Catholic schools will be continued.

"This policy envisions that the desegregation of Catholic parochial and private schools in Orleans parish will take place no later than when the public schools will become actually desegregated. It is understood that desegregation will take place progressively beginning with the first grade, followed by an additional grade annually.

"The time and manner of desegregating Catholic schools located outside Orleans parish will be determined in due course."

Lnless an order of U. S. district court Judge J. Skelly Wright is overturned, public schools in New Orleans will not be desegregated prior to Nov. 14. Judge Wright has given the Orleans parish school board until that date to comply with his order to desegregate public school first grade classes.

# Bishop Hits Public School Closing Plan

NEW ORLEANS, La. (AP) — Archbishop Joseph Francis Rummel will tell Roman Catholics of the New Orleans archdiocese Sunday there is "danger of chaos and moral irresponsibility" in efforts to prevent federally ordered integration of public schools here.

A pastoral letter to be read to all 182 Catholic churches in the archdioecse described as "a flagrant action" the proposal to close all public schools "rather than ingegrate them even on a moderate installment basis."

U.S. Dist. Judge J. Skelly Wright last May 16 ordered public schools to integrate the first grade next month. Under state law, the governor is authorized to close every public school in the state to prevent any of them from being integrated.

### SCHOOL CONTROL

Gov. Jimmie H. Davis took over control of the 100-million-dollar Orleans Parish—county — public school system last Wednesday. Davis said the schools would open Sept. 7 on the traditional segregated basis.

The three-judge federal court next Friday will hold a hearing on a motion by the National Assn. for the Advancement of Colored People to bar the state from interferring with the federal order of May 16. At the same time, the court will hear a suit by 31 white parents seeking to prevent closure of public schools. About 41,000 white pupils and 50,000 Negroes attend public schools.

The archbishop's letter was for the guidance of the Catholic parents of the 15,000 to 18,000 children in the public schools. About 46,250 white and Negro students are enrolled in the Catholic school system which is segregated. The archbishop recently said no definite date has been set for the integration of the Catholic schools.

"I DON'T HATE ANYONE," explains Daisy Gabrielle as she escorts through howling mob to integrated William Frantz School in New Orleans.

# Color not important, — ex-Wac

The Afro-Am- Baltimore, Md- Pat 12-10-60

NEW ORLEANS — I don't hate anybody because of his race. I feel that we're all God's children and no one is responsible for his color. I don't care if a person is black, red, yellow or white, they're human beings just like I am."

Thus spoke Mrs. Daisy Josephine Gabrielle, who stood behind her principles despite a jeering mob — and the neighbors who turned their backs on her — to take her six - year - old daughter back to integrated William Frantz School.

"I don't even hate those poor women who have been jeering at me and my daughter," said the 42-year-old former WAC who came to this country from her native Costa Rica 35 years ago.

"I feel only compassion for them," she continued, explaining, "They don't realize what they're doing to themselves, their children and their country."

* * *

**AT FIRST,** Mrs. Gabrielle joined the rank and file by pulling her daughter out of the school. The Rev. Lloyd Foreman was the only parent to continue to face the mob by taking his daughter to the school, one of two which was desegregated by the Federal court.

After she took her daughter out of the school Mrs. Gabrielle said her "conscience tore at me," asking: "Are you going to give in to a mob? I knew if I gave up, the minister would give up too, and there'd be no white child left."

Once the decision was made, Mrs. Gabrielle told her husband, Jerry, who said: "Go ahead, I'm with you."

Jerry, a native of Providence, met his wife in a hospital while recuperating from wounds received in jungle fighting in New Guinea.

Mrs. Gabrielle's decision to return her daughter, Yolanda, to school helped the Rev. Mr. Foreman to widen the court's crack of segregation into a gap.

Furthermore, their example has resuted in other parents taking a slap at segregation by bringing their children back to school. Whereas the four colored children were the only pupils in the two schools Monday, by Friday a total of 10 white pupils had joined them in the classroom.

* * *

"I DON'T think the women are going to hurt anyone's child, but I think they would break both of my legs without thinking twice."

When the brown - eyed mother of six first took her daughter back to school, she said "I felt at peace with myself." She declared that "I didn't hear their voices" as she walked past the screaming women.

"I was a WAC in New Guinea during World War 2 and met my husband there. He says he spent three years in a foxhole and we are not going to be told by a mob of women what to do and think."

## Are jeering women drawing salaries for ugly behavior

The Afro-Am- Baltimore, Md- Pat 12-10-60

NEW ORLEANS — Is the screaming, jeering, insulting mob of "mothers" making life miserable for pupils attending this city's two integrated schools, being paid for their ugly behavior?

"You don't know how we are suffering," commented one of the picketing women Friday as she stomped her feet in near freezing temperatures. A reporter told her she could always go home.

"You think we want to stay?" she snapped. "We're working, too; we can't leave."

LEGAL DEAD-END

The Afro-American
Baltimore, Md
Pg 1 & 2
Oct 10-10-60

# Court to Louisiana do it now, not later

NEW ORLEANS, La. —Interposition is "illegal defiance of constitutional authority," a three - judge Federal Court declared Wednesday as it refused to suspend desegregation of public schools here.

In a sweeping opinion, the Federal tribunal knocked down a series of laws hastily passed by the Louisiana Legislature in an effort to maintain segregated public schools.

All of the legal barriers thrown up by Louisiana to avert school desegregation were voided by the United States Fifth Circuit Court of Appeals.

* * *

THE UNANIMOUS 5,000-word ruling said:

"The conclusion is clear that interposition is not a constitutional doctrine. If taken seriously, it is illegal defiance of constitutional authority. However solemn or spirited, interposition resolutions have no legal efficacy . . ."

The opinion continued:

"Without the support of the interposition act, the rest of the segregation package falls of its own weight. However ingeniously worded some of the statutes may be, admittedly, the sole object of every measure adopted at the recent special session of the Louisiana Legislature is to preserve a system of segregated public schools in defiance of the mandate of the Supreme Court . . ."

Interposition is a theory under which the state places its sovereignty between the people and the Federal government. The tribunal threw out what they called "a series of measures which purport to abolish the Orleans County School Board."

The judges also issued temporary injunctions to keep Gov. Jimmie H. Davis and practically every state official from interferring. They included:

Lt. Gov. C. C. Aycock, Attorney General Gremillion; State Comptroller Roy Theriot; State Treasurer A. P. Tugwell, State Superintendent of Education Shelby M. Jackson, State Adjutant General Raymond H. Fleming, all five Orleans County School Board members, New Orleans School Board Superintendent James F. Redmond, the Louisiana Board of Education and individual members thereof; eight members of a legislative committee named to run New Orleans schools, and three trustees appointed by the Legislature to administer School Board funds.

The list contained the names, too, of Public Safety Director Murphy J. Roden and all District Attorneys, criminal sheriffs, Mayors of incorporated municipalities and chiefs of police, and "all other persons who are acting or may act in concert with them."

Quoting Chief Justice John Marshall of the U.S. Supreme Court in the Peters case, the Court wrote:

"If the Legislatures of the several states may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the Constitution itself becomes a solemn mockery and the nation is deprived of the means of enforcing its laws by the instrumentality of its own tribunals."

The three - judge court rejected Louisiana's request for a postponement of the effective date of the order compelling school desegregation. The opinion said:

". . . the history of this litigation leaves some doubt about the advisability of further postponing an inevitable deadline. Indeed, the date originally set for making a start in the direction of desegregation has already been postponed two months and it is far from clear that this delay improved conditions.

". . . There can be no question of delaying still longer the enjoyment of a constitutional right which was solemnly pronounced by the Supreme Court of the United States more than six years ago."

# Teachers Attending Meetings

Journal and Guide
Norfolk Va.
Sat 11-26-60
P11

## Colored Parents Don't Intend To Remove Students

By JACK V. FOX

NEW ORLEANS, (UPI) — The New Orleans public school system last Friday was ordered shut down for all of this week for teachers' meetings and the Thanksgiving holiday—a breather for a violence-plagued city with one-third of its students already staying home.

The school board also appealed to a three-man federal court for temporary permission to remove four first-grade colored girls from "white" schools until the U. S. Supreme Court settles the "entanglement" between the state and federal governments.

**RAIN SOMEWHAT** dampened the widespread violence of Wednesday when about 250 persons were arrested. But there still were many incidents of rocks thrown at cars and from buses, and a cross was burned on Canal Street.

Absenteeism already was threatening the entire school structure before the board decision late Thursday night for a week's shutdown.

**ONLY ONE** white child attended the McDonough grade school Thursday with three of the six-year-old colored girls and three whites with one colored child at William Frantz. In other grade and high schools, attendance was down 12,868 out of a total enrollment of 86,726.

**PARENTS AND** relatives of the colored children said at a press conference that they had no intention of taking them out.

One father said he had lost his job in a filling station, all reported threatening calls and one mother said her little girl cried the first day because she was "scared of all that noise while we were going up the stairs."

**"MY LITTLE** girl came home," one mother reported "and said, 'Mama, all the little white children walked out and the teacher didn't ever know they were going.' "

Orleans Parish School Superintendent James F. Redmond announced the school recess. He said teachers would attend association meetings in Baton Rouge Monday through Wednesday and children and teachers would be on holiday Thursday and Friday.

Redmond said the procedure was customary when teacher meetings are held near New Orleans. He said there was a similar recess last year when one association met in Baton Rouge and the other in New Orleans.

## Racists From "Shotgun" Houses

# New Orleans: There Are Two Sides To Naughty City

Journal and Guide
Norfolk Va.
11/26/60
P11

By LOUIS CASSELS
United Press International

NEW ORLEANS — Walking through the French Quarter at midnight, you find it hard to believe that anything as serious as racial tension could long hold the attention of this flamboyantly naughty old city.

At Antoine's restaurant, the late diners are taking their time over oysters rockefeller and lobster thermidor in the finest sauce this side of Paris.

**ON BOURBON** Street, the Dixieland combos are thumping out jazz for connoisseurs. Barkers stand outside the strip joints, ready to flip open a door as you walk by, to give you a promotional peek at the buxom peelers who are bumping and grinding in a smoke-hazy spotlight.

This is old New Orleans, as advertised in the tourist folders, a quaint, carefree, romantic, pleasure - loving city.

**BUT A FEW** miles downriver, away from the brightly-lighted environs of Canal Street, is the other New Orleans that tourists rarely see.

There are no wrought-iron balconies out here between the railroad tracks and the industrial canal. The architecture in this section is dominated by what Orleanians call "shotgun" houses.

**THEY ARE LONG** narrow buildings of white clapboard, with small front stoops. They have no hallways. The living room faces the street, and you walk through it to reach the dining room, and through the dining room to reach the bedroom, and through the bedroom to reach the kitchen.

The strict pattern of residential segregation which prevails in most cities is conspicuously absent here. A block of homes occupied by white families is succeeded by a block occupied by Negro families. Some blocks are biracial.

**FOR THE PEOPLE** who live in this district, life is real, life is earnest, life is a struggle against the budget.

The street lights seem to be dimmer out here, and the people you see on the streets do not look carefree. They eye your car, and if the color of your skin is different from the color of their skin, a mutual nervousness is palpably communicated.

**BOTH WHITES** and Negroes have been attacked without warning on these streets during the past few days. Bullets have been fired from moving cars, stones have been thrown through windshields, pedestrians have been stabbed.

You feel that you have come a million miles instead of five miles from the music and laughter of Bourbon Street.

## New Orleans, Louisiana
## November, 1960, AD

Journal and Guide
Norfolk, Va.

### "I Said There'd Be Trouble, And I Won't Have You Making A Liar Out Of Me"

Sat. 11-26-60
P11

By HERBLOCK, in the Washington Post-Times Herald

Journal and Guide
Norfolk, Va
Sat. 11 26-60

p. 11

## Down In New Orleans

**At New Orleans, escorted by U. S. marshals, an unidentified Negro mother leads her six-year-old daughter into the previously "all-white" William Frantz elementary school, Nov. 14. At the same time, three other colored youngsters entered another elementary school in the city.**

**There was no immediate violence on the 14th, even though crowds gathered to jeer. During the remainder of the week violence did erupt, however, as frenzied mobs, egged on by actions of members of the state legislature and other segregationists, staged "marches", attacked colored citizens and "protested" in other manners.**

# Louisiana Hoping To Pay Teachers

The Atlanta Constitution

Atlanta, Ga.

NEW ORLEANS (AP)—The Louisiana Legislature will find a way to pay New Orleans public school teachers, a leading segregationist legislator said Tuesday.

Rep. John Garrett, chairman of the Joint Legislative Committee on Segregation, said at Baton Rouge: "The Legislature wants to see that the New Orleans teachers are paid. We know the vast majority are not in sympathy with school integration."

Garrett, who made his announcement on the eve of the reconvening of the 30-day special session, spoke after Dr. James Redmond, public school superintendent, said no money was in sight for the teachers' November checks.

Sen. Wendell Harris, a member of the State Sovereignty Commission, qualified Garrett's announcement by saying only teachers who teach in segregated schools will be paid.

Harris also said those who taught in the two integrated schools are subject to dismissal.

Dr. Redmond had urged Gov. Jimmie H. Davis to "rise above the noisy emotions of some state legislators" and make the money available.

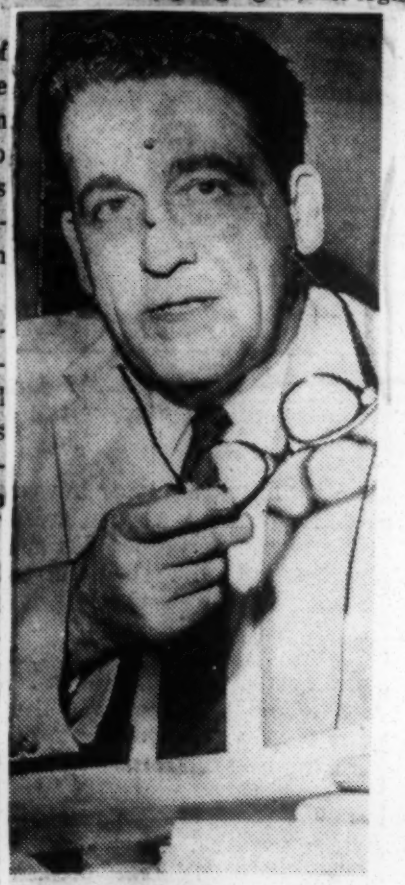
Many teachers said the announcement of a payless November came as no surprise. The consensus seemed to be that they would continue to work and eventually receive their salaries. Most teachers, attempting to avoid the segregation row, refused to comment.

Veteran teachers recalled the depression of the 1930s when they had been paid in scrip or bonds.

There were unconfirmed reports a group of local businessmen would advance $2 million fo the

WATCHING

nation is watching the Louisiana," Redmond been made clear by



Associated Press Wirephoto

"NO PAY"

*Dr James Redmond*

weekly maintenance payroll last Friday because a New Orleans bank, Whitney National, made available some deposited school funds. The state promptly moved to take state business away from the bank.

The payless payday will affect 4,500 teachers, principals and other school employes.

If it forces a shutdown of the city school system, 93,000 students will be affected.

The schools are closed in New Orleans this week while white and Negro teachers attend segregated state conventions in Baton Rouge.

state actions that Orleans Parish School Board officials cannot be considered responsible for this plight."

State banks, worried by legal claim and counterclaim, refused to loan $1.9 million to meet the monthly teacher payroll due Wednesday. The loan would have been made against future earmarked tax revenues. It is a normal procedure this time of year.

The Legislature, fighting mad over federal-ordered integation of New Orleans schools last week, refused to make state money available. It didn't reply to telegraphed school board pleas last week.

**SQUEEZED BY**

The board squeezed by a $45,00

# Schools May Be Closed By Lack Of State Funds

The Commercial Appeal

Memphis, Tenn.

By KENNETH TOLER
Staff Writer

NEW ORLEANS, Nov. 20.—Public schools in this Deep South city of mixed nationalities face indefinite closure unless funds, shut off by the Legislature in retaliation of Federal court integration of two facilities, can be secured.

That was a major problem facing officials Sunday at the end of the first week of integration, the first in Louisiana since reconstruction. It came with enrolment Monday of four Negro girls in two previously all-white schools in a low-rent, housing-integrated, downtown area. Schools are closed this week for a teachers' convention and the Thanksgiving holiday.

The schools need $2,300,000 to meet Wednesday's pay roll. Although the first two days were confined to protest demonstrations by white parents, mass rioting and violence erupted Wednesday and led to the arrest of 282 persons for stabbings, shootings, stoning and considerable vandalism. Horse and motorcycle mounted police and others with night sticks were aided by firemen with water hoses in quelling the screaming and marching demonstrators.

**Decision Awaited**

The money problem has overshadowed an awaited decision from a panel of three Federal judges on a petition of the Orleans Parish (county) School Board to permit a return to segregated schools pending settlement of the question whether Federal sovereignty in school matters supersedes state sovereignty. Officials anticipate no backdown on the Federal front following arguments of the issues Friday.

The week-long holiday for city schools has tended to calm the tense situation for the moment.

Names of the Negro children have remained secret to thwart retaliatory demonstrations at their homes. The father of one said he was fired when he refused the demand of his employer to take his child out of the previously all-white school.

Tenseness following Wednesday's "march" on the city hall by those protesting integration was so great that Gov. Jimmie Davis, Mayor de Lesseps Morrison and white and Negro leaders called for "calmness" in urging citizens to remain "cool and peaceful."

**Speakers Cheered**

Major demonstrations Wednesday followed a Tuesday night Citizens Council meeting in the city auditorium attended by 6,000 persons who stomped and cheered segregation speakers. One of the speakers, William Rainach, former state legislator and unsuccessful candidate for governor on a segregation platform, suggested that civil disobedience might be the only avenue for those opposed to integration. Others urged boycotts of the two schools, William Frantz and McDonough Number 19.

White parents responded to the boycott plea and by Friday only three white children remained in William Frantz which was integrated with one Negro child. No white children showed up at McDonough which has three Negro children. Normal enrolment of the two schools is 1,038.

City-wide there was also considerable "boycotting," mostly due to uneasiness of parents. About 12,000 students out of an elementary enrolment of 14,500 were absentees during the week.

The three lone Negro children in McDonough school had it all to themselves Friday. However, teachers were on hand, as well as cafeteria personnel who had apparently made readjustments to meet the boycott-absenteeism.

**1952 Case**

Federal Judge J. Skelly Wright of New Orleans ordered the state's first elementary school integration to begin last Monday after he had delayed an earlier commence mandate for September. It was in a case filed by Negro parents in 1952 which was governed by the 1954 decision of the United States Supreme Court.

In compliance with the order, the Orleans School Board used the state's Pupil Placement Law to select the four Negro children. They refused to honor a state-declared school holiday called last Monday after Judge Wright enjoined its enforcement.

About 65 per cent of the school's operating funds come from the state. In a move to prevent Federal action to release the moneys in banks under Federal jurisdiction, the Legislature has ordered school funds shifted to a state-chartered bank in Shreveport.

Associated Press Wirephoto

TEEN-AGERS LINE UP TO BE SEARCHED BY NEW ORLEANS POLICE
*Youths Were Parked in Car, Refused to Move from McDonogh School Area*

# New Orleans Asks U.S. To Suspend Integration

The Atlanta Constitution

Atlanta Jour. 11-18-60

NEW ORLEANS—This troubled city calmed down Thursday as white pupils staged "sit-outs," Negro parents stood firm and the school board sought a suspension of integration.

The Orleans Parish School Board asked that desegration be suspended at least until the conflict between state and federal orders is resolved.

U.S. Judge J. Skelly Wright said he would hear the board's request at 10 a.m. Friday.

At the same time, he also will

By BRUCE GALPIN
Constitution Staff Writer

consider a contempt action against State School Supt. Shelby Jackson and a case involving the Legislature's attempt to assume control of New Orleans schools.

**FOUR WHITES ATTEND**

The four Negro girls who launched desegregation here Monday continued in school for the fourth day Thursday, but their white schoolmates were down to four.

Relatives of the four Negroes, in a dramatic interview in which they withheld their names and kept their backs to cameras, asserted Thursday that the children would stay in school.

But white parents, under the urging of the Legislature and segregation leaders, were keeping their children out of the integrated schools—and many other schools.

**ONE WHITE**

There was only one white boy at the McDonogh 19 school with three Negroes, and three whites with the one Negro in William T. Frantz School.

At a meeting Wednesday night, parents took the first steps toward setting up a private school system for white pupils of the two schools.

In Municipal Court Thursday, cases against 35 of the rioters arrested Wednesday were delayed because the arresting officers were still on special duty.

But Judge Paul P. Garafalo delivered a stern lecture to the youths.

Atlanta Jour.

"There are certain things people have a right to show protest against, but not by employing violence or disrespect for police," he declared.

**WARNED BY JUDGE**

Garafalo warned "you will be reckoned with most severely if there are further incidents."

The passions stirred up in Wednesday's teen-age rioting boiled over into numerous cases of vandalism and assault committed by both races during the night.

Police Supt. Joseph I. Giarusso reported that in addition to some 58 arrested during the riots, another 194 were arrested during the night for loitering, 29 for carrying concealed weapons and 27 for acts of vandalism.

A majority of those arrested were Negroes. Arrests include three Negro youths carrying ingredients for homemade "Molotov cocktail" bombs.

Charity Hospital treated numerous whites and Negroes for lacerations inflicted by rocks, bottles and fists.

There were at least two stabbings. Whites reported being shot at by Negroes and Negroes by whites.

**CARS STONED**

Automobiles were stoned and windows of homes broken.

An explosive shell was found on a lawn. A seven-foot cross was burned at the Southern Pacific Railroad yard.

Early Thursday morning, nearly 50 police were required to break up a milling, shouting mob of about 200 Negro and white longshoremen. The Negroes accused the hiring boss of being a member of the White Citizens Council.

The night's trouble brought appeals for order from Gov. Jimmie Davis, Mayor deLesseps Morrison, NAACP field secretary Clarence A. Laws, the New Orleans Chamber of Commerce, the Jaycees, the Young Men's Business Club, the Federation of Churches and Supt. Giarusso.

**ABSENTEEISM SURGES**

School absenteeism rose from 9,010 on Wednesday to 12,666 on Thursday.

Dr. James F. Redmond, Orleans parish school superintendent, blamed the trouble largely on parents' fear of letting their children on the streets.

The South Louisiana Citizens Council praised the truancy.

In some schools, however, truants were reported flocking back to class, many with their parents.

Giarusso issued an order to police Thursday to pick up any juveniles loitering around schools. Those without valid excuses will be booked or turned over to juvenile authorities, he said.

Several juveniles were arrested Thursday for loitering in the Civic Center area, a site of Wednesday's teen-age rioting.

A city councilman proposed a temporary curfew on juveniles.

In other moves Thursday designed to restore order, Mayor Morrison met in closed session with some 100 business and professional leader.

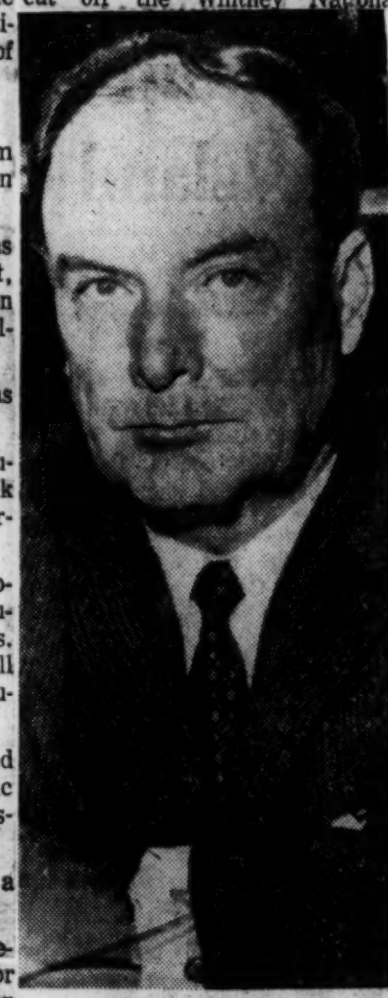
Meanwhile, the state continued to fight to restore segregation.

The Legislature tried to bring President-elect John F. Kennedy into the dispute by adopting a resolution asking him for an opinion on the "judicial tyranny" of U.S. District Judge J. Skelly Wright, who ordered the integration.

The Legislature's resolution to Kennedy directed that a committee of legislators personally deliver the resolution and "wait for his (Kennedy's) immediate reply." There was no indication when the committee will try to see Kennedy, who was in Johnson City, Tex., Thursday, visiting Vice President-elect Lyndon B. Johnson.

A bill was introduced in the House to make it illegal for police officers to enforce federal court orders.

The State Board of Liquidation cut off the Whitney National Bank here as the state's fiscal agent in retaliation for the bank's giving funds to the school board which the Legislature had attempted to take over.



SETS HEARING
*Judge J. Skelly Wright*

# School Mix Ban Laws Blocked

## U.S. Judges Bar Measures' Enforcement

Three federal judges Wednesday struck down all of the laws passed at the special session of the Legislature aimed at keeping New Orleans public schools segregated.

The special court also issued a temporary injunction prohibiting state, parish and municipal officials from enforcing the laws "and from otherwise interfering in any way with the operation of the public schools for the Parish of Orleans by the Orleans parish school board, pursuant to the orders of this court."

Specifically, the court took these actions:

**1. Held that the Legislature's interposition act is not a constitutional doctrine and granted the injunction against its enforcement asked by the United States government in its suit against Gov. Jimmie H. Davis and other state, parish and municipal officials.**

**2. Declared 17 other legislative acts unconstitutional and granted an injunction against their enforcement as asked for in the suit filed by 31 parents of white school children.**

**3. Nullified five concurrent resolutions of the Legislature and enjoined their enforcement as asked by the Orleans parish school board.**

**4. Turned down a motion by four members of the school board and its superintendent asking that the integration orders be vacated or amended to allow the continued operation of the schools on a segregated basis pending a final determination of the interposition issue by the Supreme Court of the United States.**

The opinion was by Judge Richard T. Rives of Montgomery, Ala., chief judge of the United States Fifth Circuit court of appeals, and Judges Herbert W. Christenberry and J. Skelly Wright of the eastern district of Louisiana. These judges conducted a hearing of the issues involved on Nov. 18 and the matter has been under advisement since then.

### EIGHT-YEAR-OLD CASE

After the three-judge decision was filed, Judge Wright filed an order designating the United States government as amicus curiae (friend of the court) in the original case filed by Negroes eight years ago seeking desegregation and in the suit brought last August by the 31 white parents.

The order allows the United States attorney general to file briefs to assist the court and makes the United States government as active participant in the segregation cases.

Until this order was filed the government's only part in the segregation picture was its suit to restrain the state, parish and municipal officials from interfering with federal officers in the performance of their duties of enforcing orders of the court.

In a lengthy footnote on the first page of the 17-page opinion, the special court traced the eight-year history of the New Orleans segregation case and said that throughout that history "it has been clear that under the Constitution of the United States segregation in the public schools of Louisiana cannot lawfully continue. . . ."

### 'AMORPHOUS CONCEPT'

The court's discussion of the interposition question pointed out that except for an appropriation measure to provide for costs of the session, the interposition act was the very first statute passed and "sets the tone and gives substance to all the subsequent legislation."

The court held that for the most part the measures that followed merely implemented interposition and pointed out that the state attorney general, at the hearing, rested his entire defense on this act and if it had succeeded there would be no need to look further, but on the other hand, should it fail, nothing can save the "package of segregation measures to which it is tied."

"Interposition," the opinion held, "is an amorphous concept based on the proposition that the United States is a compact of states, any one of which may interpose its sovereignty against the enforcement within its borders of any decision of the supreme court or act of Congress, irrespective of the fact that the constitutionality of the act has been established by a decision of the supreme court.

In essence, the court said, the doctrine of interposition denies the obligation of the states to respect decisions of the supreme court with which they do not agree.

### DISAVOWAL CLAIMED

Such a doctrine may have had some validity under this nation's Articles of Confederation, but when they failed and "in order to form a more perfect union," the people, and not the states, established the constitution, according to the opinion. Interposition has been disavowed by the preamble of the constitution, it stated.

Another footnote pointed out that even the compact theory does not justify interposition and it quoted Edward Livingston of Louisiana, who, though an adherent to that theory, strongly denied the right of a state to nullify federal law or the decisions of the federal courts.

The note pointed out that while debating in the United States Senate in 1830 Livingston said "That, by the institution of this government, the states have unequivocally surrendered every constitutional right of impeding or resisting the execution of any decree or judgment of the supreme court, in any case of law or equity between persons or on matters of whom or on which that court has jurisdiction, even if such a decree or judgment should, in the opinion of the states, be unconstitutional . . ."

Many cases have dealt with certain questions involved in interposition, but their is only one in which the issue was squarely presented, the three judges wrote, and that one involved the state of Pennsylvania and was decided by the supreme court in 1809.

### MARSHALL QUOTED

In that opinion, Chief Justice Marshall said and "finally laid the doctrine to rest:"

"If the Legislatures of the several states may, at will, annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the constitution itself becomes a solid mockery; and the nation is deprived of the means of enforcing its laws by the instrumentality of its own tribunals. So fatal a result must be deprecated by all; and the people of Pennsylvania, not less than the citizens of every other state, must feel a deep interest in resisting principles so destructive of the Union and in averting consequences so fatal to themselves."

The judges held that the concept that a ruling challenged by a state should be held in suspense until it can be ratified by constitutional amendment is "a patent subterfuge."

Such a theory "is a preposterous perversion of Article V of the constitution," the opinion holds. It agrees that the consitution can be amended to "overrule" the supreme court, but contends that there is nothing in Article V justifying the presumption that what has been declared to be the law ceases to be the law while the amendment is pending.

### 'ILLEGAL DEFIANCE' SEEN

"If taken seriously, it is illegal defiance of constitutional authority. Otherwise, it amounts to nor more than a protest, an escape valve through which the legislatures blow off steam to relieve their tentions," the court said of interposition.

The judges held that there is a tacit agreement, even among other interposing states, that such resolutions have no legal efficacy. That agreement is reflected in their failure even to raise the argument in recent litigation, the court said, and Louisiana even has had an interposition resolution on the books since 1956 but never used it.

**"Its unconstitutional premise strikes with nullity all that it would support," the court ruled.**

**With respect to the other legislative acts, the court held that without the support of the interposition "the rest of the segregation package falls on its own weight."**

The judges said "However ingeniously worded some of the statutes may be, admittedly the sole object of every measure . . . is to preserve a system of segregated public schools indefiance of the mandate of the supreme court."

### CITE LITTLE ROCK CASE

Citing the supreme court decision in the Little Rock case, the court quoted "the constitutional rights of children not to be discriminated against in school admission on grounds of race or color . . . can neither be nullified openly and directly by state legislators or state executive or judicial officers, nor nullified indirectly by them through evasive schemes for segregation whether attempted ingeniously or ingenously."

Discussing the court's jurisdiction, the judges said that it has made no effort to restrain the Louisiana Legislature as a whole, or any individual legislator, in the performance of a legislative function.

"It is only insofar as the lawmakers purport to act as administrators of the local schools that they, as well as all others concerned, are sought to be restrained from implementing measures which are alleged to violate the constitution," they said.

In its opinion the court takes up the purposes of the legislation in detail, including those measures which "purport to abolish the Orleans parish school board, culminating, somewhat inconsistently, in the resolution which 'addresses out of office' four of the five members of that board."

On the subject of the motion to vacate or amend the integration orders filed by the board members and the superintendent, the court observed that the date originally set for integration was postponed two months "and it is far from clear that this delay improved conditions."

"In any event," the opinion held, "though we be persuaded by the school board's good faith, there can be no question of delaying still longer that enjoyment of a constitutional right which was solemnly pronounced by the supreme court of the United States more than six years ago."

# Louisiana School Hecklers Turn To Phone Threats and Vandalism

NEW ORLEANS, Dec. 8 (UPI)—Pro-segregation hecklers, their blockades ended by police, turned to telephone threats, vandalism and economic reprisals to whittle attendance down to 15 at a desegregated school today.

For the first time since desegregation began on Nov. 14, there were no hecklers around the William Frantz Elementary School today. But their efforts were felt nevertheless.

Only 14 white children showed up to attend classes with Ruby Nell Bridges, the lone Negro girl going to the school. It was five fewer than yesterday and a drop of nine in two days.

Police manned their barricades a block away from the school in all directions, but today no crowds congregated there. A handful of white persons sat on a front porch across from the school, but were warned by police that if they started jeering, they would be ejected from the area.

### Rocks Smash Windows

During the night, rocks sailed through windows of white families whose children are attending Frantz and their telephones rang incessantly. When they answered, they heard mumbled threats and obscenities.

Economic pressure on the families has become such that one of the leaders against the white boycott at Frantz, James Gabrielle, has quit his job and is making plans to move away from the city.

At McDonogh 19, the other desegregated elementary school, a white boycott was still total. Not one white child showed up to attend classes with three Negro girls.

The homes of at least three of the parents sending their children to Frantz have been heavily damaged despite police protection.

### Mass Meeting Called

The New Orleans Citizens Council announced a mass meeting in the Municipal Auditorium for next Thursday night. At the last such meeting, prominent segregationists urged an overflow crowd — mostly teenagers—to fight integration with "civil disobedience." The next day thousands of persons ran wild in the streets and police turned fire hoses on them.

A man who refused to identify himself said the hecklers have started "leaving us alone at the schools and bothering us at home."

Many persons reported constant threatening calls, and Federal authorities were investigating threatening letters.

Last night, the home of Marion McKinley, a Baptist seminary student who sends two of his children to Frantz, was stoned and Mrs. McKinley was struck by a rock thrown by a 12-year-old boy when she was returning from the grocery store.

One rock, bigger than a softball, flew through a window in a bedroom, narrowly missing a small child in its crib. "We have moved out of two of our bedrooms and all of us huddle together at night in one room," Mrs. McKinley said.

### Police 'Driving By'

She said that "police are supposed to protect us all the time, but have just been driving by."

The McKinleys sent their children back to school today, but other parents, frightened by the sinister calls and stonings, kept their children out of school.

The U. S. Justice Department in Washington today branded the State's new package of segregation laws "plainly unconstitutional." It asked the Supreme Court to hurry its ruling on them so as to clear a "cloud" from over the New Orleans School Board, which the laws the High Court is considering would fire.

The School Board met with New Orleans legislators early today and would only say that it had refused to resign. The legislators said they didn't ask the Board to resign.

Gov. Jimmie Davis today announced he would go on television Friday night for a 15-minute discussion of the school crisis. He is expected to call another 30-day special session of the Legislature this weekend.

James Redmond, Superintendent of Schools, announced late today that an anonymous benefactor had come to the aid of the School Board and paid the salaries—amounting to $16,525—of employes in the two desegregated schools.

The School Board, its money frozen by the Legislature, had been unable to meet its payrolls. The Legislature paid other teachers, but withheld checks for the 55 persons working in the two schools. Redmond would not name the donator, other than that he was a citizen of New Orleans."

Redmond said he thought it was "deplorable that people who want to return to the schools are being intimidated" by the hecklers.

# NEW ORLEANS UNIT SEEKS POLICE AID

## White Group Cites Lack of Arrests for Intimidation— School Boycott Stiffens

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 9 — The campaign of intimidation against white parents who have been attempting to send their children to integrated schools here was stepped up today. Attendance dropped.

The deteriorating situation brought a demand from the woman leader of a white citizens group calling itself Save Our Schools, Inc., that the city police increase protection.

Mrs. Mary Sand, president of S. O. S., pointed out that, although death threats had been made, bricks thrown through windows and rocks hurled at white parents, there had been no arrests. She said the campaign of intimidation had been extended now to members of her organization who have been furnishing transportation.

"We have hoped and still hope that New Orleans will not become another Little Rock," she said in a statement. "We hope the need will not arise for Federal troops to come to this community."

But, she continued, if this is not to happen then "the police must not permit lawless elements to run rampant."

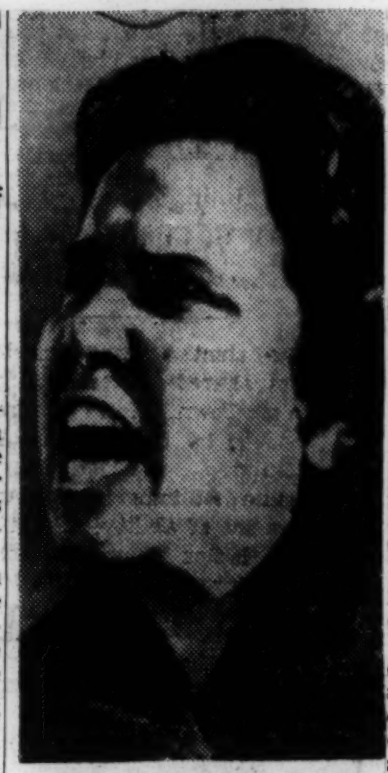
### 'Agitators' Blamed

The trouble is being caused by only a small group of "lawless, irresponsible agitators," she said, and she urged "civic, business and religious leaders" to rally to the support of law-abiding citizens trying to take their children to the schools to which they had been assigned.

Federal marshals, who have been escorting four Negro girls to the two integrated elemen- and McDonogh No. 19—since Nov. 14, extended their protection today to white pupils at the two schools.

Despite this, only eight white children entered Frantz school to join the one Negro first grader there. Attendance was as high as twenty-three on Tuesday, but it has diminished each day since.

No white children have been attending McDonogh No. 19, where there are three Negro girls.



United Press International Telephoto

**OPPOSES INTEGRATION: Mrs. Lee Hooks in action outside the William Frantz School in New Orleans. She has supported boycott of newly integrated school.**

Local newspapers have been carrying no names of students attending Frantz school, hoping this might save them from some harassment. But when segregationists yesterday afternoon handed out mimeographed lists of parents who were taking their children to Frantz school, interviews were sought with many of them today.

All reported night calls with threats against both parents and children, harassment at places of business by fellow workers, with a threat of loss of employment in some cases, bricks thrown through house window and automobile tires slashed.

### Callers Identified

One woman said that two men who called at her house identified themselves as representatives of the White Citizens Councils, a segregationist group that is active throughout the South, and another said he represented "the state."

Typical was the case of Everett L. Poling, an employe of the city Sanitation Department. He has two children in Frantz school. Mrs. Poling said her husband had been threatened by a man he didn't know, who said "we're going to make you lose your job. The tires on the family car had been slashed, she said.

The Polings still had their children in Frantz school today but she said she did not know how long they could stand the pressure. The police now have put a twenty-four-hour guard on their home, she said.

Mrs. Sand said in her statement:

"A courageous clergyman and a city employe have for the past two weeks braved threats to their lives, insults, jeers, and stone and egg-throwers. During recent days they have been joined by equally courageous families. * * *

"They have been increasingly intimidated by a small group of lawless, irresponsible agitators."

Mrs. Sand gave instances of reports to her by several parents. Then she said:

"Despite these flagrant demonstrations there have been no arrests of adults or ring leaders of this violence. Small crowds of stone-bearing adults still roam the neighborhood where those families live."

### New Yorkers Aid Gabrielles

More than $600 has been raised by a group of New York Negroes to help Mr. and Mrs. James Gabrielle, the New Orleans white couple who defied segregationist picket lines to send their daughter to the newly integrated William Frantz School. Mr. Gabrielle resigned his job as a meter inspector for the city, because of harrassment by fellow employes.

The New York group is headed by Jackie Robinson, former baseball player and now a restaurant chain executive, and Mrs. Logan, wife of a physician. They are conducting the drive through the Student Emergency Fund, set up here in April to help Negro and white students jailed in sit-in demonstrations in the South. The emergency fund has already wired $200 to Mr. and Mrs. Gabrielle. Mr. Robinson said contributions could be sent to the fund at his office, 425 Lexington Avenue.

### Davis to Press Fight

Special to The New York Times.

BATON ROUGE, La., Dec. 9—Gov. Jimmie H. Davis of Louisiana tonight told the citizens of the state that "a vigorous and legal denial of Federal authority to interfere with the operations of our public schools" would be continued in Louisiana.

In a state-wide television broadcast he also urged parents to "stand

# Speedy Court Decision Asked on Interposition

The Washington Post
Washington, D.C.
12-9-60
P. 20-A

The Solicitor General of the United States has suggested to the Supreme Court that it can dispose of Louisiana's "interposition" argument before New Year's Day if it really wants to.

In a memorandum filed yesterday, Solicitor General J. Lee Rankin called "interposition" a "phantasm sought to be resurrected from the buried past." Whatever importance it had a hundred years ago, he added, "its significance today is only academic and historical."

Louisiana, in its efforts to block desegregation of the public schools in New Orleans, put forth the interposition argument—that the State would place itself between a Federal order and the object of the order to prevent its effect.

It "interposed itself in the field of public education" last month when a Federal court ordered the schools to admit four Negro girls to a once all-white school.

The Federal court in New Orleans said interposition—a doctrine often talked of in the South as a defense against desegregation but never before actually used — "is not a constitutional doctrine." The court said: "If taken seriously, it is an illegal defiance of constitutional authority."

This decision, Louisiana's Attorney General Jack Gremillion said in papers filed Tuesday in the Supreme Court, is seriously in error. It impairs the "sovereign capacity of the State of Louisiana and particularly the exclusive control over its financial affairs."

Gremillion asked the Supreme Court to stay the orders issued by the lower court while interposition is reviewed leisurely here.

Rankin's comments were brief. With the lower court decision, he said, "the Government agrees." Gremillion's appeal, he said, "is so manifestly unsubstantial as not to require extended argument."

To speed up the matter, Rankin suggested that the Supreme Court order Gremillion to file an appeal from the lower court judgment (not a motion for a stay as he has filed) within five days.

The Court should also order any opposing motions to be filed within five days after that and all briefs within another five days, Rankin suggested.

This is short-cutting the normal time for handling Supreme Court cases by at least 75 days. But the schedule, Rankin told the Court, provides "ample time for inquiry into the validity of (interposition)."

# Louisiana House Says Ike's In Red Conspiracy

BATON ROUGE, La. — (UPI) — The Louisiana House of Representatives, foiled at every turn in its efforts to end integration of New Orleans schools, Wednesday accused President Eisenhower and the federal courts of being involved in a Communist conspiracy.

The resolution stopped just short of calling them Communists. But it bogged down in the Senate, where one lawmaker said it was "the worst piece of legislation I have ever seen" and was toned down to more vague terms.

**The House, meeting under the watchful eyes of black-clad mothers and children "mourning" for their integrated schools, passed the resolution unanimously.**

It said that the "U.S. Supreme Court, supported by the entire federal judicial system and the executive branch of the federal government, is making common cause with the Communist conspiracy to destroy our public school systems and our standards of education."

In the Senate, it was toned down to read "some" of the federal judiciary and "some of the members of the executive branch" before it passed 25-11. The House had already adjourned until Sunday, so it could not vote on the Senate amendments, which leaves the resolution hanging in limbo.

**The Legislature passed another resolution ordering $2,535,312 be deposited with the Legislature to pay the teachers of the embattled New Orleans schools. The resolution ordered that when the teachers' checks are mailed to them, the envelope include a note pointing out that the Legislature, not the school Board, was paying them.**

Segregationist leaders said that New Orleans School Superintendent James F. Redmond and School Attorney Sam Rosenberg wouldn't get paid.

New Orleans lawmakers led the Senate opposition to the resolution condemning the federal government. It changed another portion, which said that an "atheistic, Communist menace . . . has infiltrated the highest councils of our nation" to read "some of the highest councils . . ."

"This is too strong," said Sen. Robert Ainsworth. "It implies a charge of treason."

**Another senator said that "Calling Eisenhower a Communist just because I don't recognize a Supreme Court decision is not my way of doing things."**

The resolution said that when the Supreme Court made its original integration ruling, it did so on the authority of alleged "Communist writings" and therefore adopted the Communist conspiracy against the American people . . ."

The Legislature also voted to give $25 apiece to the state policemen who, at the Legislature's instructions, tried to enforce a school holiday when two elementary schools were integrated by four Negro girls last week.

**The state policemen, who took no action when school officials ignored their announcements that schools were supposed to be closed, will get a total of $1,350.**

Rep. Wellborn Jack of Shreveport, a staunch segregationist who has made repeated verbal assaults on Federal Judge J. Skelly Wright, attacked the judge for giving an interview last week to UPI Reporter Louis Cassels.

In the interview, the judge told Cassels that he believes the Supreme Court's integration ruling was right, and even if he didn't he would "be required to do what I'm doing by my office."

**Jack said that "he's supposed to try cases in the courtroom and outside the courtroom he's supposed to keep his big mouth shut.**

"According to this interview, he is prejudging any integration case that comes before his court, and that should be looked into by the Bar Association," Jack added.

Jack accused the federal government of trying to "turn Louisiana into a bawdy house" by its unfavorable attitudes toward the new state laws refusing welfare payments to illegitimate children.

He also accused President-elect John F. Kennedy of giving a delegation of lawmakers "the run-around" over the weekend when they tried to get his views on integration.

Before the session began, a group of about 200 mothers, a few fathers and little children, all wearing something black — in some cases only armbands — to mourn their integrated schools, marched into the House gallery.

# Orleans still awaits school future ruling

NEW ORLEANS, Nov. 25—(AP)—New Orleans' week-long integration holiday continued today with no indication when a court ruling on the future of public school integration would come.

A three-judge federal tribunal is weighing a request by the embattled Orleans Parrish School Board that integration be suspended for a while.

**The entry of four Negro first grade girls into two formerly all-white elementary schools here led to a virtual white boycott of the schools and widespread street disorders throughout the city.**

**Court sources said a decision might come today or might be put off until next week.**

Also to be decided are a request for a permanent injunction to prevent interference by Louisiana officials with integration and a state suit to throw out all integration rulings.

Chief Judge Richard T. Rives of the Fifth U. S. Circuit Court of Appeals headed the panel. It also included U. S. District Judges J. Skelly Wright and Herbert W. Christenberry.

WRIGHT, WHO ordered integration, also had before him a suit to return from federal to state court a legislative suit to remove four school board members who went along with the court's integration order.

Wright had issued an injunction and remanded the suit from state to federal court.

Meanwhile, the prinicpal of McDonogh Senior High School here and the Gentilly Citizens Council became embroiled in a hassle over the suspension of 27 truants.

**Principal A. L. Firment said the students were suspended because they had been absent without their parents' permission.**

# May Identify N.O. Mixers

Jackson Daily News

(NEW ORLEANS (AP)—Another week of public school integration loomed Saturday as city school officials prepared to open all public schools Monday after a week-long holiday.

Supt. James Redmond said all schools would open, even though some may be virtually empty in the face of a boycott by white parents protesting racial integration.

These include the two integrated schools, William M. Frantz and McDonough 19, where four Negro first grade girls broke the color bar here Nov. 14. Some 300 white students from the schools have been enrolled in schools in neighboring St. Bernard Parish.

Meanwhile, the possibility arose that the names of the four Negroes might be made public for the first time.

Emile A. Wagner Jr., segregationist school board member, filed suit in state civil district court asking that Redmond be forced to give the names of all students at McDonogh 19 and Frantz. A hearing was set for Tuesday by Judge Alexander E. Rainold.

Also awaited was a ruling by a three-judge federal panel on the future of integration. The court was due to act after the weekend on three suits:

(1) By the Orleans Parish school board asking that integration be suspended to allow time for settlement of state-federal legal questions;

(2) By the state asking the court to heave out all integration rulings; and

(3) By 31 white citizens asking that a permanent injunction be issued against state interference in integration here.

The question of when the city's parochial schools would be integrated arose again Friday night when parents of St. Cecilia school were told integration might come Monday and their school might be the one integrated.

The statement cume from Paul Danove, a St. Cecilia parent, who said he would withdraw his children from school if it were integrated. He urged the other parents to follow suit.

The Rt. Rev. Msgr. Henry G. Bezou, archdiocesan superintendent, has said no definite date for integration has yet been set.

Another parent, Martin Buras, said eight meetings of Catholic school parents had been held in the past week to discuss the possibility of integration. Representatives of 16 other parishes were among 198 persons at the meeting.

In Baton Rouge, the legislature was set to return at 7 p.m. Sunday to resume its special session after a Thanksgiving recess.

Its first order of business was a Thanksgiving Day resolution that became bogged down Wednesday over whether or not it accused President Eisenhower and the U.S. Supreme Court of joining "the Communist conspiracy."

Also due to come up was an attempt to put pressure on the state's 10 Democratic electors to withhold their votes from President-elect John F. Kennedy.

# 'Uneasy Peace' In New Orleans

Atlanta Daily World
Atlanta, Ga.

NEW ORLEANS (UPI)—An uneasy peace hung over New Orleans Thursday as the city waited for rumored Negro demonstrations over the furor created by the integration of two public schools.

Tri 11-25-60

State Rep. James Phister of New Orleans, head of the House Un-American Activities Committee, had warned that a Negro organization was planning Thanksgiving holiday demonstrations that "could trigger a race riot."

Weary city police, who had to battle irate white mothers and teen-age rowdyism all last week while four 6-year-old Negro girls attended newly integrated William Frantz and McDonogh 19 schools, were put on the alert.

Phister charged that the Congress of Racial quality, CORE, was planning the demonstrations. But CORE spokesmen denied any such plans.

They countered that the "real cause of unrest and ill - will is not the work of integration leaders, but rather the Louisiana Legislature, citizens councils and other rabid segregationists . . ."

CORE is the group which sponsored several lunch counter sit-ins and church kneel-ins early in the fall.

The steam-up state legislature, meanwhile, was recessed until Sunday for the Thanksgiving holiday after a heated session Wednesday during which a resolution was introduced condemning President Eisenhower and the federal courts for "making common cause with the Communist conspiracy."

Failure of the message to pass marked the first time segregation moderates have been able to halt steamroller passage of a pro-segregation bill by the more extremist lawmakers who prefer closing to integration.

New Orleans public school teachers had something to be thankful for this Thanksgiving day. The legislature voted Wednesday to appropriate more than $2.0 million to pay the 4,500 employees of the city's school district.

# CROWD ATTACKS FOUR AT SCHOOL

The Times-Picayune

## Newsmen, Attorney, Collegian Set Upon

Balked in their boycott efforts, angry white women Thursday set upon bystanders at desegregated Frantz Elementary school.

Tempers burned as white parents outmaneuvered the demonstrators and slipped six white children into the school at 3811 N. Galvez.

**MARSHALS WITH PUPIL**

A lone Negro—a six-year-old first grader—was escorted to the school by deputy US marshals to maintain a perfect attendance record since the school was desegregated, Nov. 14 by federal court order.

**(Louisiana House of Representatives passes bill creating new school board for Orleans parish. Sec. 2, Page 2.)**

**Screaming, cursing women, protesting the presence of a Negro in the previously all-white school, manhandled a university student, a New Orleans attorney, a cameraman and a local newspaper reporter.**

The reporter for The Times-Picayune, Jerry Hopkins, left the scene when asked to do so by police. The shouting women turned on him when he accidentally bumped into one of them while taking notes on the fracas.

**Police had to rescue Sydney Goldfinch, son of a Protestant minister, from a pummeling by the irate women.**

Goldfinch, a Tulane university student, was recognized as a leader of Negro sit-in demonstrations a few weeks ago in downtown New Orleans.

# Women Jeer Tulane Student at Frantz School

—Photo by The Times-Picayune.

**THE TARGET of jeering remarks of these irate women at Frantz Elementary school Thursday is Sydney Goldfinch, a Tulane university student who recently led a group of Negro sit-ins at a New Orleans lunch counter. Goldfinch, who was kicked by one of the women before departing the scene at request of police, said, "I didn't think they'd recognize me."**

**ATTORNEY RESCUED**

Police also rescued George Dreyfous, attorney and president of the Civil Liberties Union in Louisiana. He had appeared before the Legislature in opposition to segregation bills.

Also told by police to leave the neighborhood "because they were causing trouble" were two newsmen on leave from Time and Life magazines.

New Orleans, La.

The two, Ken Smelson and Greg Shuker, reportedly asked a demonstrator: "Why do you oppose interracial marriage?"

Earlier, one woman struck a reporter on the back while she tried to keep television cameras away.

**STONE PASTOR'S DOG**

Police also kept the thronging women off the front lawn of the Rev. L. A. Foreman's residence. His daughter attends the Frantz kindergarten class.

**When the minister's dog showed up—a black and white animal, one woman yelled: "Look, he's even got an integrated dog."**

**The remark incited some demonstrators to throw stones at the dog.**

The Rev. Mr. Foreman earlier had escorted his daughter and two unidentified white boys into the school.

Mrs. James Gabrielle also ran the blockade with her young daughter, who attends the integrated school.

**TWO MORE PUPILS**

And two other white children were slipped into the school, as the boycott lost ground from the day before. Only Foreman's daughter and the Gabrielle child attended school Wednesday with the Negro girl.

**McDonogh No. 19 Elementary school at 5919 St. Claude, meanwhile, remained desegregated, but not integrated. The white boycott was complete, for the fifth straight school day, at this school, where only three transferred Negro girls, also first-graders, attend.**

In the school system as a whole, attendance was described by school Supt. James F. Redmond as normal. Of the 36,726 enrolled in white schools, 32,763 pupils were in classes. The absent figure of 3963 includes the absences from the two desegregated schools. On two days during the first week of desegregation absenteeism exceeded 12,000.

**LOOKS TO RETURNS**

Said Redmond: "I don't think we can expect any better attendance than this except as they continue to return to Frantz and McDonogh No. 19 schools."

Activity at the Frantz school continued in the wake of a federal court decision Wednesday which declared that Orleans parish public schools must remain desegregated.

Neither the school board nor the state of Louisiana has yet appealed the ruling, although both announced intentions to do so.

School administrators viewed the ruling as having the effect of easing the boycotts of the two schools.

At Frantz, police dispersed the crowd of demonstrators, pushing back the barriers, towards the end of the school day. About 3 p. m., two deputy United States marshals arrived to pick up the Negro child and take her home.

**SIDE ENTRANCE**

About the same time, three or four automobiles drove around to a side entrance to the school and collected four of the six white children. The other two, kindergarten pupils, were picked up about noon by the Rev. Mr. Foreman.

The Legislature as a group and other state, parochial and local officials were enjoined by the federal court decision Wednesday from interfering with school integration orders.

Meanwhile, school teachers in New Orleans continued to receive their monthly pay checks by mail, from Baton Rouge, more than a week after they were due.

The Legislature had appropriated a sum to cover their salaries and those of other school employes, after the school board had announced that they were denied the operating funds needed to meet the payroll.

The Montgomery Advertiser Montgomery Ala P-1

AP Wirephoto

CONFEDERATE FLAGS WAVED, SIGNS DISPLAYED AS GROUP PROTESTS INTEGRATION

Girls, Women In Foreground Shout Taunts At New Orleans Police Who Turned Back Demonstrators

# Clubs, Fire Hoses Used To Halt Louisiana Mob

The Montgomery Advertiser P-1

## 58 Jailed In Outbreak; 1 Man Shot

Montgomery Ala 11-17-60

NEW ORLEANS, La. (AP)—Riotous demonstrations against race mixing in New Orleans schools were broken up again and again Wednesday under the pressure of clubbing police and fire hoses.

At least 58 persons were arrested. Many persons were injured. One man was shot.

More than 1,000 demonstrators —most of them teen-agers failed to reach the school board offices in downtown New Orleans.

Three hundred teen-agers reformed after hoses and clubs drove them from the streets, and tried to charge into City Hall a few blocks away.

**SCREAMING YOUTHS**

Mounted police and fire hoses shattered the wall of screaming and drenched youths.

Chanting segments truned to the narrow streets of the famed French Quarter. Some teen-agers seized a policeman and beat him.

As the fire hoses were turned on the crowd in front of the school board office, Muriel Schneider, mother of two, grabbed Police Supt. Joseph Giarrusso by the trouser leg and pleaded: "Chief, help us, not the U.S. government." Tears rolled down her cheeks.

"We'll help you," said Giarrusso, "if you do it in an orderly manner, but we are not going to let you take over the city."

While the uproar echoed against the walls of downtown buildings, U.S. Sen. Russell B. Long, D-La., stood before an infuriated Louisiana Legislature in Baton Rouge and said: "I would be personally willing to impeach the entire Supreme Court if my vote would do it."

The senator virtually told the legislature it was on its own.

"The situation in Washington," he said, "is likely to get worse. We simply do not have the votes."

And, he suggested the legislature abandon public schools and turn to a segregated private school system.

1, 2-A

Almost forgotten in the tumultuous sequence of violence were the four Negro first-grade girls whose entry into white public elementary schools for the first time in more than 80 years began the see-saw of strength in the Deep South's largest city.

One of the four girls entered William Frantz School quietly for the third day with a silent crowd of under 100 persons watching. At McDonogh No. 19, three others marched into the school before a silent crowd of about the same size.

After the worst of the day's disorders apparently had subsided, eight Negroes attacked a white man and shot him.

White men beat up four Negroes.

**DRIVER STONED**

A group of whites stoned a Negro truck driver, who threw bricks back. Police broke up the fight. No one was hurt.

During the height of the melee around the school board office, a Negro delivery boy ran afoul of the demontrators. Some threw him to the sidewalk, piled on him, hit him and kicked him. A policeman received a bloody nose rescuing the Negro.

Gov. Jimmie H. Davis in Baton Rouge called on "all those in New Orleans who are under this emotional strain to stay at home and don't do anything" they might be sorry for.

Dr. Emmett Irwin, president of the Citizens Council of Greater New Orleans, said "it wouldn't hurt to have a few peaceful demonstrations" at the two integrated schools "by those who want to do so."

In Baton Rouge the legislature approved a resolution demanding that U.S. Dist. Judge J. Skelly Wright stand aside in the New Orleans crisis "because of personal bias against the State of Louisiana."

# U.S. JURISTS STRIKE DOWN MIX BARRIERS

## Ruling in Schools Crisis Will Be Appealed

Federal judges Wednesday knocked over legal hurdles Louisiana had erected to block school integration.

**A three-judge panel, in a broad decision, struck down 18 state acts and four legislative resolutions as unconstitutional.**

**Those acts and resolutions were designed to preserve segregated schools.**

**Almost immediately, state Atty. Gen. Jack P. F. Gremillion in Baton Rouge announced he would appeal the decision.**

**The jurists also denied an Orleans parish school board plea that a federal court order for a grade-a-year desegregation plan be suspended.**

Among the acts struck down by the tribunal was Louisiana's interposition act. The court referred to it as an "escape valve through which the Legislatures blow off steam to relieve their tensions."

### BLOCKADE CONTINUES

The court enjoined members of the Legislature, Gov. Jimmie H. Davis and all state, parochial and local officials—more than 700 officials — from interfering with the operation of the city's schools by the Orleans parish school board.

**The strongly-worded decision did not deter enraged housewives from maintaining their stubborn blockade at Frantz Elementary and McDonogh No. 19 schools.**

Four Negro children were transferred to those previously all-white schools under a pupil placement plan begun by the school board in compliance with the federal desegregation order.

White mothers have boycotted those schools since the desegregation start, Nov. 14.

### RULING NO SURPRISE

On Wednesday, three Negro first graders at McDonogh 19 had the school to themselves. For the third straight day this week no white pupils attended classes.

## *Heckling Crowd Outside Minister's Home*

—Photo by The Times-Picayune.

**A JEERING CROWD, composed largely of women, gathered outside the residence of the Rev. Lloyd A. Foreman, Methodist minister, Wednesday, after he took his daughter to the integrated William Frantz Elementary school, slipping in unnoticed through a rear entrance.**

And at Frantz, a lone Negro first grade pupil had the school practically to herself. Only two white children — one a kindergarten pupil — were in school with her.

White adults — mostly women—were merely infuriated by news of the court decision. In this week's efforts to enforce a boycott they directed their wrath on the two white girls and their parents, the Rev. L. A. Foreman and Mrs. James Gabrielle.

**The court ruling came as no surprise to school board members, who vowed to carry out their function to provide schooling for the city's young.**

The three-judge court, in addition to handing down its weighty decision, Wednesday asked U. S. attornevs to participate in integration proceedings as "friends of the court."

### HELD UNCONSITUTIONAL

Specifically, the court asked that the U. S. attorney - general and the U. S. attorney in New Orleans submit "pleadings, evidence, arguments and briefs, and to initiate such further proceedings as many be appropriate."

Comprising the panel of jurists were Judge Richard T. Rives, chief judge of the U. S. fifth circuit court of appeals; Judge Herbert W. Christenberry and Judge J. Skelly Wright.

Judge Wright is the federal jurist who handed down the ruling on May 16 that New Orleans schools be desegregated this fall.

**The Legislature's laws declared unconstitutional by the courts include those which would empower the state to close schools or to address out of office members of a school board under federal orders to integrate.**

One effort to seize control resulted in a long delay in a number of school board employes receiving their salaries.

In the case of food service employes, maintenance workers, bus drivers and warehousemen who received checks totaling $57,351.53 does not include the paycheck for Dr. James F. Redmond, Orleans parish school superintendent.

But at his uptown residence and at his office at 703 Carondelet, post office employes were delivering many envelopes containing $1 bill in each.

The money was started flowing by a group that wanted to show their respect for him.

**In leveling the barrier of interposition — a theory under which the state places its sovereignty between the people and the federal government—39 segregation bills passed by the Legislature in special session also fell.**

Nearly an hour after the judges' decision, a police detail accompanied Mrs. Gabrielle and her daughter, Yolanda, to the three-story Frantz school. A police guard protected her also when she left the building to return home.

**The roundtrip from home to school was attended by vicious catcalling and insults, and some jostling.**

The shouting women also visited the home of the Rev. Mr. Foreman, target of abuse Tuesday. But he had spirited his five-year-old daughter into school by a back door. At noon he picked her up at school and took her home swiftly.

Elsewhere in the public schools system, according to officials, attendance was normal.

on Nov. 18, banks still are not honoring the paper.

### CHECKS BEGIN ARRIVING

Banks had been served copies of a joint resolution of the Legislature advising that the school board, which issued the checks, was not in control of the school system's funds.

**The Legislature more recently appropriated funds to meet a $2,113,039.58 payroll, due last Wednesday, for school teachers weekly-basis employes and administrative help.**

**Some of these checks started arriving Wednesday.**

Walter Latapie, chief accountant for the school board, said he did not know what effect the federal court's decision on Wednesday would have on the Nov. 18 pay checks.

He said he felt there would be no question of the validity of the checks currently being received since there have been no attacks on the legislative appropriation.

### INTERPOSITION TOPPLES

The legislative appropriation

14d(1) 1960

LOUISIANA

NEW ORLEANS (NOV.1960)

# New Orleans Police Turn Back Teen-Agers In Integration Flareups

## Arrest 18 In Second Crisis Day

The Atlanta Constitution
Atlanta, Ga.

By BRUCE GALPHIN
Constitution Staff Writer

NEW ORLEANS—Teen-age truants took the lead in demonstrating on the second day of desegregation here Tuesday, but well disciplined city police turned them back and prevented violence.

At least 18 persons, including a deputy sheriff from a neighboring parish, were arrested on various charges springing out of the disturbances.

**ONLY 65 ATTEND**

Attendance at the two desegregated schools, usually around 1,000, was down to 65 Tuesday.

Meanwhile, in Baton Rouge, Louisiana's legislature was treading water, waiting to start another special session at midnight.

The Legislature's course was not known specifically but at a Citizens' Council meeting in New Orleans Tuesday night Rep. John C. Garrett of Claiborne Parish insisted it was time for "the Legislature to invoke full interposition and arrest Judge Wright (Federal Judge J. Skelly Wright).

"If they want to come and arrest the governor of Louisiana and the members of the Legislature and the judiciary, we are ready to go," Garrett shouted.

**OBJECTS TO VIOLENCE**

The speaker counseled against violence, but he stirred such a heated reaction from a crowd of 4,000 to 5,000 that he had to beg time and again to be allowed to speak.

Another speaker, Emile Wagner, holdout member of the Orleans Parish School Board, asserted that New Orleans' Catholic schools will be desegregated next Monday if the public schools are still operating on a mixed basis.

All of the state's current maneuvers to restore segregation, including impeachment of and injunctions against the Orleans Parish School Board, have been thwarted by U.S. Judge Wright.

**SEVERAL HUNDRED GATHER**

The frustrated attempts of white students to march on the desegregated schools apparently sprang up spontaneously Tuesday.

P. 10

"We just heard it around this morning," one boy explained.

Several hundred students from high schools around the city gathered near the Nicholls High School shortly after classes started Tuesday morning and formed a noisy parade in cars and on foot.

Atlanta, Ga.

Asked what they intended to do, a boy replied:

"Just holler and yell and let them know how we feel."

A girl added: "We're going to do this every day 'til they take the niggers out."

**TURNED BACK**

The group marched on William T. Frantz School, but were turned back by a cordon of city police.

They then moved on McDonogh No. 19, but the main body was stopped several blocks short of the school.

At one point, more than 100 teen-agers who had been demonstrating in front of the non-integrated Washington High School marched up onto a viaduct leading to McDonough 19 and were immediately repelled by two policemen.

Several hundred youths moved in small groups, however, and made their way to McDonogh 19, where they helped swell crowds to approximately 1,000.

Police, who had been briefed for weeks by tough, efficient Supt. Joseph I. Giarusso, finally cleared the entire area when the crowd showed signs of getting out of hand. Many students returned to school.

A few teen-agers continued to circle the area in cars, singing, "Glory, Glory Segregation" to the tune of the "Battle Hymn of the Republic" and displaying crude drawings of Negroes.

School administrators announced that students cutting classes for the demonstrations would be reported to juvenile court.

Giarusso declared that his forces were merely maintaining peace and good order. Enforcement of desegregation is up to federal marshals, he explained.

In addition to those arrests Tuesday—most of them on charges of "reviling police"—it was revealed that 21 others had been arrested on Monday for refusing to move on or for vagrancy by loitering.

**MOTHERS ENTER**

Many mothers entered the besieged schools Tuesday to "get our kids' work books. We paid for them."

The mothers were cheered by whites in the crowds as they emerged from the schools.

The four Negro girls—three at McDonogh and one at Frantz—were again accompanied into and escorted out of the schools by federal marshals amidst booing.

At Frantz, a white man passed out notices of a meeting Wednesday night of the Frantz-Washington Cooperative to protest desegregation. A Citizens Council meeting was already set for Tuesday night.

**HAD TOY PISTOL**

One of the men arrested at Frantz Tuesday was carrying a toy pistol. Another, not arrested, carried around a portable phonograph playing "Dixie."

All classes, by school board order, are segregated by sex when they are racially integrated.

A police sergeant described the integrated first-grade classroom at McDonogh thus:

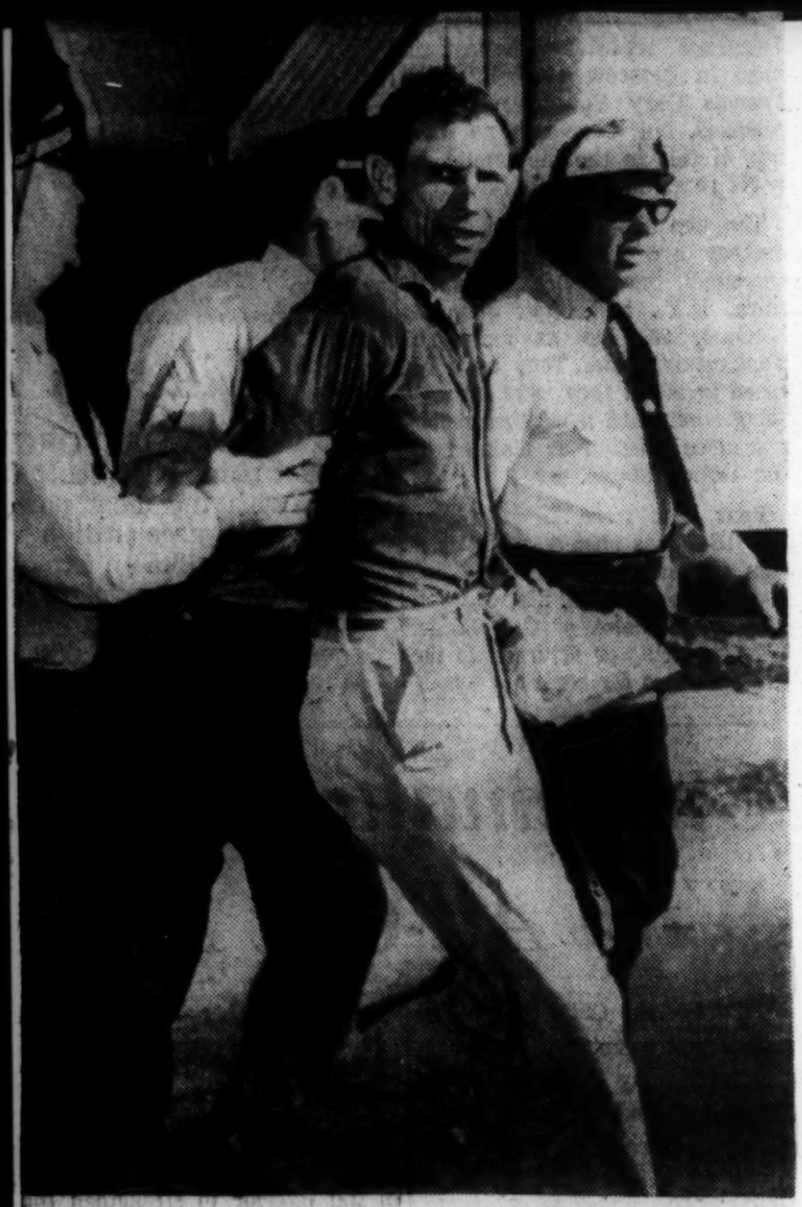
The three Negro girls huddled in one corner of the room with books given they by the teacher. Two white pupils sat in an opposite corner. The teacher asked the Negroes questions, apparently to determine how far advanced their education was.

**WITH MOTHERS**

At Frantz, the one Negro girl sat by the side of one white girl, according to Mrs. Owen McManus, who entered the school to get her daughter's books.

With the two were a Negro woman and a white woman, apparently the mothers of the two girls. There was no teacher in the room.

Indications were, Mrs. McManus said, that no classes were being held at Frantz at all. Her sixth grade daughter said only two of 31 regular white pupils were in her classroom.



Associated Press Wirephoto

POLICE ARREST UNIDENTIFIED MAN

*He Was in Crowd That Heckled Negro Students*

# Goes Berserk In New Orleans

Chicago Defender
Nov. 26-Dec. 2-1960 p. 1

NEW ORLEANS, La. (UPI) — A teenage Negro boy, who ran berserk in the famed French Quarter Saturday and severely wounded a seven-year old white boy before being shot down by police, was reported in serious condition Sunday at Charity hospital where he is being treated for head wound.

Those who shouted obscenities about courts and white [illegible] were identified as Donald [illegible]. Business was reported very sharply Sunday in the restaurants and night clubs of the French Quarter.

This was the latest outbreak of violence brought on by tension over integration of New Orleans schools.

Victim of the slashing was Brian Walter Goss, 7, who was severely cut under the left arm when the teenager attacked the boy as he stood on his front porch playing a ukelele.

The rampage and shooting drew a crowd in the streets of the famed old French Quarter. It was an ominous start for a period which the city had hoped would be peaceful with the schools closed until Nov. 28.

The city had been relatively free of mob scenes and violence since the ruling of a federal judge that state and school board efforts to reverse integration of the first grade girls out of the schools.

It was about noon when the usually quiet of the Quarter was shattered by the teenager running into white [illegible] and shops and cursing pro[illegible].

Then he allegedly drew a four-inch knife and began slashing away at whites, screaming he didn't give a —— about the federal government, the courts, or white people."

He knife slashed away the [illegible] nerve of one white man [illegible] run for a shotgun.

[illegible] Brian came upon the [illegible] boy. He broke the ukelele,

kicked and stomped the boy and cut him. It was feared the boy had a skull fracture, too.

Women began screaming, "Get him, get him."

A police officer on a three-wheel traffic cycle took his pistol and shot from about 20 feet as Erion ducked between a small sports car and the wall. One bullet hit him in the hand and the other in the head.

The sidewalk was covered with blood in front of a bar which has segregated entrances and areas for Negroes and whites.

Police kept the crowd moving and it gradually dispersed.

The week had been one of the unhappiest in New Orleans history.

Admission of the four girls to white schools brought knifings, stonings, cross burnings, hundreds of arrest and use of fire hose on mobs. It brought consternation to restaurants, proud of the city's famed reputation for gracious living.

Schools will be closed next week for teachers' meetings and the Thanksgiving holiday. But New Orleans most likely will be face to face with the integration conflict on Monday, Nov. 28.

If the court refused to back down on integration — as it has in the past — and pro-segregationists push ahead with such moves as cutting off funds for New Orleans schools, it could lead to a complete shutdown of the educational system or to another federal intervention by force such as occurred in Little Rock.

# $2 Million Payroll Worries N.O. Board

The Defender
Chicago Ill.
Nov. 26-Dec. 2

NEW ORLEANS — (UPI)— The New Orleans school board said Tuesday it is "concerned" over how it will meet a payroll of nearly $2 million that falls due Nov. 23.

The school board said that 60 percent of its operating capital comes from the state and the rest is local.

Superintendent of Schools Dr. James Redmond said the board is negotiating for an annual loan from the bank to be repaid with taxes not yet collected.

The Nov. 23 payroll amounts to $1,900,000.

Redmond praised his teachers, whom he said are "magnificent" under the strain brought about by integration. He said no teachers have quit.

One board member said he wished the four Negro children could have integrated schools in some other area of the city, but that they live only a few blocks from the schools and it would have been illegal to send them to schools outside their districts.

But he said the bankers "are concerned about who is running the schools" in view of the legal action flying between the school board and the state legislature over the integration of two elementary schools.

The legislature insists it is running the schools but has been ordered to stay away by a federal court.

Redmond said "Whether we can get money from the state is problematical, but I don't think the state would want to see a payless holiday."

# Calls For Boycott Against Negroes

Chicago Defender
Nov. 26-Dec. 2, 1960

By JOHN G. WARNER

NEW ORLEANS — (UPI) — Four 6-year-old Negro girls, escorted by U. S. Deputy Marshals and protected by 140 city police, went to Formerly all-white public schools in New Orleans for the first time yesterday.

One hundred and forty New Orleans city policemen guarded the schools and there was no violence, either when the children entered two schools or or when they left. The girls arrived at school 30 minutes late and were released 30 minutes early to minimize the chances of violence.

p. 3

One 19-year-old Negro was arrested for disturbing the peace by cursing. A friend said he yelled back at white teenagers who drove around a school and yelled at Negro passers-by.

A wall of city police faced a jeering crowd as three girls left McDonogh 19, where they attended a class with a few white girls.

Thus the first day of integration of Louisiana public schools passed without undue difficulty although:

**WOULD GO TO JAIL**

**Jimmie H. Davis, Louisiana's governor, hillbilly singer and cowboy movie actor, swore he would go to jail rather than allow integration.**

**About 75 state policemen came to New Orleans under orders of the state legislature which is almost solidly against integration.**

**Hundreds of white persons gathered in front of the two integrated schools, waving confederate flags, jeering and chanting "two, four, six, eight — we don't wanna integrate."**

Davis didn't go to jail, although he could have, had he made any move to stop integration. He is under three different federal orders not to meddle with the schools.

# The Innocent Ones

THREE SIX-YEAR-OLD girls are photographed leaving McDonogh elementary school in New Orleans after completing their first week of school on an integrated basis. A three judge federal court took under advisement appeals for halting integration in the city. (UPI Telephoto)

# SCHOOL PAY CUT IN NEW ORLEANS

The N.Y. Times

## Teachers Face Day Bringing No Monthly Check Under Legislature's Funds Ban

New York

By BERNARD STENGREN

Special to The New York Times.

NEW ORLEANS, Nov. 18—This city's 3,500 public school teachers face a payless payday Wednesday as one of the effects of the school integration controversy here. 11-19-60

The Orleans Parish (county) Board of Education has about $790,000 on hand, but needs $2,300,000 to cover the monthly pay checks of teachers and some other employes. However checks totaling $50,000 for those paid on a weekly basis—bus and truck drivers, maintenance personnel and kitchen help—were issued today, and were honored by banks when tendered for payment.

The shortage of money stems from action of the Louisiana Legislature in cutting off state funds from the school board and advising the City of New Orleans and banks here to withhold funds from the board unless it halted the token integration of public schools that began Monday.

### Exploratory Parleys

Attorneys for the school system held exploratory conferences with representatives of of the banking community to discuss the possibility of bank loans to take care of current financial needs. It was understood, however, that the banks were wary of making such loans in view of the legislative directive.

Ford Reese, an attorney for the school board, said that the banks did not interpret the legislative action as forbidding payments on the principal and interest of outstanding school bond issues and that those payments would be made on schedule.

There has been some discussion of seeking Federal aid to indemnify the banks for any losses on loans made to the school board, but no formal action of that nature has been taken.

The legislative warning to the banks carries great weight because 60-7 per cent of the school board's annual operating budget of $27,750,000 is provided by state aid.

### Funds of Local Origin

Real estate and other property taxes levied by the board but collected for it by the city provide $10,200,000 for its operating budget and its entire capital budget of $2,800,000, according to H. T. Porter, business manager for the board.

The bulk of the funds from local sources for this year has already been collected and spent, but city officials are placing current collections in a special escrow account pending a decision by the Legislature or by the Federal courts. There is about $100,000 in this account.

The banks laid down fourteen conditions that would have to be met before they would make loans to the school board.

In comment on the conditions Mr. Reese said: "We could stop at No. 3."

# LOUISIANA GETS ROGERS WARNING ON SCHOOL PLANS

N.Y. Times

## Governor Told U.S. Will Use Full Powers of Office to Back Integration Move

New York N.Y.

By The Associated Press.

WASHINGTON, Nov. 12—Attorney General William P. Rogers warned today that he would use the full power of his office to prevent Louisiana officials from blocking court-ordered integration of the New Orleans public schools.

Mr. Rogers also told Louisiana's Governor, Jimmie H. Davis, in a telegram that "any resistance, obstruction or interference with Federal court order will be a violation of Federal law." Then he listed specific ways in which the law might be violated.

But Mr. Rogers said he was confident that Louisiana public officials "will uphold and support the Constitution of the United States and will expect every effort to give full cooperation to the Federal courts in order that law and order may be maintained."

### Court Order Fought

Louisiana officials are making a last-ditch fight against a court order that five Negro girls be permitted to enter first-grade classes at two all-white schools on Monday. This would be the first integration of public schools in New Orleans.

Mr. Rogers also sent a telegram to Mayor de Lesseps Morrison of New Orleans assuring him that the Justice Department was "ready to cooperate fully with the City of New Orleans and New Orleans police."

The Attorney General said his department had made arrangements for temporary expansion of the present staff of the United States Marshall's office in New Orleans. A Justice Department spokesman said this meant eight deputy marshals had been sent there.

### Plans Are Indefinite

He also said there was no plan to send any more unless the situation demanded it.

Mr. Rogers told Mr. Morrison he hoped by effective use of local law enforcement officers with the cooperation of the Justice Department that violence and disorders could be prevented.

"Surely, as I know you agree," Mr. Rogers told Mr. Morrison, "the public interest requires all officials who have responsibility in this matter to strive earnestly and resolutely to that end."

Mr. Rogers did not say specifically what action he would take if Louisiana officials interfered with carrying out the court's integration order. The Justice Department spokesman said the measures would depend specifically on what happened.

Mr. Rogers 600-word telegram to Governor Davis consisted mostly of a citation of the various legal statutes involved in any interference with Federal courts and officials.

In calling on the Governor to keep the peace, Mr. Rogers added:

'As President Eisenhower has said: 'The very basis of our individual rights and freedoms rests upon the certainty that the President and the executive branch of government will support and insure the carrying out of the decisions of the Federal courts'."

### Showdown is Due

NEW ORLEANS, Nov. 12 (AP)—Hostile camps in the scheduled integration of New Orleans public schools Monday lined up today for last-ditch litigation and legislation.

Mayor Morrison wrote to the Legislature that it take no action that would remove public officials from office, have the effect of disturbing the peace and order of this community, and that would close the public schools.

The National Association for the Advancement of Colored People filed a new plea in Federal court here today to ban anyone from interfering with the desegration of first grades.

United States District Judge J. Skelly Wright, before whom the suit was filed, already had enjoined state authorities from interfering witeh the school board's plans. The board planned Monday to put, under guard, five Negro children in first grades of now-white schools.

The New Orleans case was viewed as a test of the fate of segregated schools throughout the state.

### Legislature to Meet

Governor Davis summoned legislators to Baton Rouge tomorrow in an emergency meeting—two days before the twelve-day special session was scheduled to end.

Most of the segregation legislation already adopted has been declared unconstitutional by Federal courts. Another special legislative session is to begin Tuesday.

It was not clear whether Governor Davis planned to keep the legislature in continuous session to pass new legislation as fast as the Federal courts knocked it down.

Today Governor Davis took time out to go dove hunting.

Four members of the New Orleans Parish (county) School Board said they believed the legislature would try to oust them from office. The board's fifth member, Emila A. Wagner Jr., a staunch segregationist, said the ouster would be justified on the ground the board had "flaunted the authority of the state."

NEW ORLEANS

"Whether it will stick is another question," he said.

Matthew R. Sutherland Jr., who was re-elected to the board Tuesday over the opposition of three segregationist candidates, told reporters his wife had received two or three telephone calls Friday threatening her life and the lives of her children. Mr. Sutherland campaigned to keep schools open even if integrated.

City police have been maintaining a round-the-clock guard at the residence of Judge Wright here. A legislative committee, which took over the school system temporarily, came into New Orleans from Baton Rouge escorted by the state police.

Mr. Sutherland said any move to recall the board is "just the same old thing all over again—another attempt to take over the schools."

# COURT BARS DELAY FOR NEW ORLEANS

The N.Y. Times

New York

## Orders Integrated Classes to Continue Pending Study —Racial Tension Eases

Sat. 11-19-60

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Nov. 18—A Federal court ordered today a continuation of integrated classes in the city schools pending its study of a plea for a temporary suspension.

Lawyers for the Orleans Parish (County) School Board told a three-judge panel that the process should be suspended until a Federal-state controversy over the issue had been settled.

The state contended that all legal proceedings should be dismissed because it had interposed its sovereignty between the Federal courts and the school board. The United States asked that a restraining orders be kept in force against state officials to prevent them from interfering with desegregation.

Chief Judge Richard T. Rives of the United States Court of Appeals for the Fifth Circuit and District Judges J. Skelly Wright and Herbert W. Christenberry took the questions under advisement. No indication was given as to when the ruling would come. But Judge Rives said that the restraining orders would remain in effect in the meantime.

### Schools Get Holiday

The public schools closed today for a week-long holiday. Court observers expected the constitutional panel to hand down its ruling before classes resume a week from Monday.

An appeal to the United States Supreme Court is considered likely no matter what the judges decide. This would mark the first time in the school desegregation controversy that the interposition issue had been placed before the high bench.

The litigation involved the admission last Monday of four Negro girls to two white elementary schools, the first case of desegregation below the college level in the Deep South.

The pupils were escorted without incident to and from the schools today by deputy Federal marshals. The crowds of jeering demonstrators that greeted them on Monday have grown progressively smaller.

However, no white pupils reported for classes at McDonogh No. 19 school, where three Negroes are enrolled. Only three whites appeared at the other desegregated school, William Frantz. Enrollment at the two schools is more than 1,000.

An apparent easing of racial tension brought an increase in attendance at other white public schools. Students have been warned that they will face disciplinary action if they are absent without a valid excuse.

A rash of incidents between whites and Negroes that began Wednesday with a flurry of anti-integration demonstrations appeared near an end. Merchants and business men reported only a slight drop in trade and advertising, and some denied that it had resulted from the trouble.

The Legislature recessed in Baton Rouge until next Wednesday, when lawmakers will begin the Thanksgiving Day holiday after a brief meeting. They had been summoned for the second special session in as many weeks by Gov. Jimmie H. Davis a walnut-paneled district court-cupied by parties to the to find new ways to thwart de- room in the main Post Office. newsmen, lawyers and c segregation and court of- pletely untenable."

"From a practical point of

The hearing screened those seeking admis- Samuel I. Rosenberg, the Deputy Federal marshals ficials. lawyer, told the the legal issues raised by sion, and virtually all seats in school board's

view," said Mr. Rosenberg, "the board is reaching a point where it will, regardless of the orders of the court, be unable to operate the schools."

**Funds Are Unavailable**

He noted that no funds were available to meet the Nov. 23 payroll as a result of the dispute. He contended that the board had been "punished by the Legislature" for complying with the desegregation order handed down by Judge Wright last May 16.

Mr. Rosenberg urged the three judges either to nullify the mass of anti-integration legislation or return the schools to a segregated basis while the interposition question was litigated.

Jack P. F. Gremillion, the State Attorney General, said the court should step aside because of the interposition act. He contended that the law had removed the court's jurisdiction.

The act, signed last week by Governor Davis, states that the United States Constitution does not give the Federal Government the right to control a state's schools. Federal agencies, judges, marshals and other officers are forbidden from carrying out the 1954 Supreme Court desegregation decision under penalty of $1,000 fine and a year's imprisonment.

"I vigorously, strenuously, urge the act of interposition in support of our motion," Mr. Gremillion told the court.

Thurgood Marshall, counsel for the National Association for the Advancement of Colored People, opposed any suspension of desegregation.

"I don't think there's any amount of time that's going to bring any cooperation from the Legislature or the officials of Louisiana," he said.

"The people of Louisiana, from the Governor on down, have known since 1954 what the law of the land is," he said. "It seems to me that they've had considerable time to learn to live within the framework of that law."

W. Scott Wilkinson represented a special legislative committee that sought to assert control of the parish schools last week. The lawyer declared that "the trouble with this whole sorry mess is the schools of New Orleans is that there've been too many court orders." He then said:

"The people of Louisiana do not believe that racial segregation is legally or morally right and no Federal court can change them."

At the prompting of Judge Rives, the lawyer said he meant integration instead of segregation.

M. Hepburn Many, United States Attorney, said the Legislature had challenged the supremacy of the Federal Government by the interposition act.

"The ultimate challenge of tragic consequences was the war between the states," he said. "It would have been thought that it was answered then."

**BITTER PROTESTS** are hurled by teenagers supporters of school segregation as New Orleans police quelled disturbance at the William Frantz Elementary School. Shouting and sign-bearing women showed up on second day of token integration. Unable to forcefully end the court-ordered opening of the tax-supported school to all, white parents have resorted to keeping their children home.

# Louisiana Integration Site Almost Like Football Game

The Montgomery Advertiser
Montgomery Ala
11-15-60

NEW ORLEANS (AP)—It was almost like a neighborhood football game. But, it was Louisiana's first school integration Monday.

A willow-shaded workingman residential neighborhood in front of the William Frantz School suddenly became an arena.

About 100 persons booed loudly when a Negro child entered the elementary school. Then all morning long, they cheered loudly and applauded when white mothers started pulling their children out of the school.

The weather was spring like. Spectators came out early — the women in slacks with pin-curlers in their hair, some of the men in tee shirts and dungarees—to see it happen.

"Mommy, are we gonna see a nigger," a small child asked his mother.

A cordon of city police ordered the crowd away from the front of the three story brown and white brick school. They moved to the street corner and stood there watching.

When the bell rang at 9 o'clock, no Negro child had showed up. Ten minutes later, still no Negro child had arrived. The tension mounted.

Inside the school, children p ked from windows. The crowd grew restless.

At nearly 9:30, a black sedan rolled up in front of the school entrance. U. S. marshals got out and so did a small Negro child and her mother. It happened so fast, it took many by surprise.

The child wore a spotless white dress and with ribbons in her hair. She wore high blue stockings pulled up to her knees. A loud wail of boos came from the crowd, but she walked straight ahead toward the front door.

"There she is," someone in the crowd roared. Photographers scurried to get a picture.

The child and her mother slowly mounted the six steps and vanished through the door.

"Take Judge Wright out and hang him by his toes," one woman shouted.

"Go get the kids out of the nigger school," another yelled.

"Two, four, six, eight, we don't want to integrate," and "two, four, six, eight, we don't want a jigaboo," were among the yells from the crowd.

As the first mother walked into the school to take her child out a loud roar of approval came from the spectators. The applause was even louder when the mother walked out pulling a child with each hand.

A group of teen-agers paraded around with a cardboard sign reading: "We want segregation."

A man with a Confederate flag stood on the front lawn of a house nearby and made a speech on states rights.

A news vendor, whose voice boomed across the scene like a loudspeaker, shouted: "Animals don't mix. The birds and the bees don't mix. Why the hell should people mix?"

A couple of Negro women walked by the scene and some of the white women shouted ahead to other white women: "Watch out, you're going to get a little black rubbed off on you."

The hot sun started blazing down and the crowd slowly started to leave. An ice cream vendor came on the scene and was overwhelmed with business.

Slowly as the hot day wore on, more and more people started drifting away. Except for the policemen still on guard, the street on which William Frantz public school sits gradually became once again a residential neighborhood.

# Shot youth 'berserk'

The Afro American
Baltimore, Md.

NEW ORLEANS, La.—Donald Brion of the 600 block Saint Peters St. was shot in the head by police at 12:07 Saturday afternoon when cornered in the 1100 block of Burgandy St. in the downtown section.

Acting Superintendent of Police Peligrin told the AFRO Brion was shot "after running beserk" with a knife, cutting a seven-year-old white boy, Byron Goss, of the 900 block Burgundy St., and threatening merchants.

**The First District Police Station listed the officers in the case as Patrolmen James Sumner and N. Hingle.**

At the hospital Brion's condition was listed as "undetermined." The boy, cut in the shoulder, was reported not serious.

**ANOTHER SHOOTING** involving police occurred Friday night at a filling station in the 5000 block of Magazine St. in the uptown section.

The shooting was described as "accidental."

The victim was Albert Long, 30, of 2600 block of Jackson St.

According to police officer, Earl W. Ruth 22, of headquarters, took five of the six cartridges from his service revolver, pointed the gun at Long and pulled the trigger.

The bullet struck Long in the stomach and came out of his back. The policeman was quoted as sayng: "I didn't think the gun would fire." He was booked on a charge of "negligent injury."

# School mixing stays as legal fight goes on

The Afro American
Baltimore, Md.
Sat. 11-26-60

By SAMUEL HOSKINS

(AFRO Acting Managing Editor)

NEW ORLEANS, La. — The Governor of Louisiana is violating his oath of office and the State Legislature is guilty of "the illegitimate use of an illegal action."

This was the blunt charge Thurgood Marshall, chief counsel of the NAACP, flung at Gov. Jimmie H. Davis and members of the legislature before a three-judge Federal Court on Friday.

Marshall, who is the legal technician of the school case here which resulted in four little girls being admitted to two public schools previously attended by only white students, made the statement in opposition to a motion that the desegregation order be withdrawn.

* * *

**FOLLOWING A** three-hour session during which a battery of 22 lawyers, many of them state officials, peesented a mass of legal pleadings and briefs, the court adjourned without taking any action.

Presiding Judge Richard T. Rives said the court will rule later on the various cases under consideration, but for the time being all restraining orders and injunctions would remain in effect.

This left the desegregation order standing.

In addition to Judge Rives, other members of the court were Judges Herbert W. Christenberry and J. Skelly Wright.

The desegregation order was issued by Judge Wright on last May 16.

* * *

**THE MOTION** for the suspension of the desegregation order was filed the previous day (Thursday) by Samuel I. Rosenberg, attorney for the school board.

In support of his motion, Rosenberg told the court:

"New Orleans has been made the legal battle-ground of a conflict between the Federal Government and the Louisiana State Government."

He asked that the two schools be returned to a segregated status until the question of Interposition be settled.

* * *

**THE NAACP'S MARSHALL** said the Interposition Resolution recently enacted by the state was settled before its enactment.

"There is nothing new about the interposition argument," Marshall told the court. "It was raised and was settled in Little Rock."

Marshall told the court that the Little Rock case establishtd once and for all that the U.S. Constitution is the sovereign law of the land.

The interpretation of the Constitution is final and cannot be changed unless the Supreme Court itself reverses it's ruling, Congress enacts over-ruling legislation as in the Tidelands Case, or the Constitution is amended.

"When state law conflicts thtrocisions of the Constitution, state law falls," the NAACP attorney declared.

Baltimore Md

**THE TWO** other legal actions before the court were:

(1) A suit by 31 white citizens seeking to seeking to enjoin the Legislature from carrying its program to seize control of the New Orleans school board.

(2) A suit by U.S. Attorney M. Hepburn Many seeking to enjoin statt officials from interfering with Federal judges and marshalls who implement the desegregation order. the supremacy of Feder law is being challenged by and marshalls who implement the desegregation order.

U.S. Attorney Many said the supremacy of Federal law is being challenged by the tate of Louisiana. He declared that the basic issue before the court was whethtr Federal or state law will prevail where the constitutional rights of citizens are concerned.

The U.S. Attorney described the recently anti-desegregation laws enacted by the Legislature as "a fifth package" designed to circumvent the Supreme Court's 1954 desegregation rulings.

Repesenting the state were Jack P. F. Gremillion, Attorny General; Scott Wilkinson, representing the eight-member legislative committee which he is seeking to supercede the New Orleans school board.

In addition to Marshall, A. P. Tureaud and Antoina M. Trudeau represented the NAACP.

"HELP!"

Suffer The Little Children

# Son hurt, she still supports mixing

The Afro-American
Baltimore Md
11-26-60

By SAMUEL HOSKINS

NEW ORLEANS, La. — "I am sorry they hurt my boy, but I think the schools should be integrated."

This was the view expressed Saturday by Mrs. Alma Campbell of 2349 Wintrop St., after her 19-year-old son, Donald, was released from the hospital where he was treated for wounds he suffered at the hands of an anti-school desegregation mob.

**Mrs. Campbell and her family have resided for eight years in the downtown section where one of the two schools affected by the U.S. District Court's desegregation order is located.**

Her son was attacked about noon, last Wednesday near his place of employment by a roaming mob of teenagers.

She said the youth told her the attack occurred near his place of employment, a short distance from the intersection of North Claiborne and Broad Sts.

**HE WAS BEATEN,** kicked and cut in the left side. "Donald is lucky he was not killed," Mrs. Campbell said.

The mother was referring to reports circulated throughout the city that her son had been killed.

**The boy's father, Calvin Campbell, is a member of the Longshoremen's Local 1418, where a riot was narrowly avoided early Thursday morning.**

The trouble stemmed from an accusation by a colored union member that a white member also is a member of the White Citizens Councils, one of the anti-integration groups which demonstrated throughout the city on Tuesday and Wednesday.

# Redmond fired by state for failing to identify pupils

The Afro-American
Baltimore Md
11-26-60

NEW ORLEANS, La.—Dr. James F. Redmond, superintendent of the Orleans Parish School board, was fired by the State Legislature because he refused to reveal the identity of the four little girls who are the center of the current desegregation controversy.

This revelation was made by the school board's attorney, Samuel I. Rosenberg, Friday, as he urged a three-judge court to restrain the Legislature in its effort to take over the board's function.

Rosenberg said Dr. Redmond carried out every request of the Legislature in turning over books, records and bank account.

"But there was one thing he refused to reveal, the names of the children designated for admittance to the two (previously all - white) schools," Rosenberg said.

The attorney said that "to this day" Dr. Redmond has not revealed the names of the children. "This is a serious matter," he added.

Although the mothers of the children and the father of one were interviewed by newsmen, Thursday, their names have not yet been revealed.

Television films of the interview showed only the backs of the parents. NAACP officials know the names of the children and parents, but are guarding them as "top secret."

"We don't want them harassed as the parents and children were in Little Rock," explained Clarence A. Laws, NAACP field director.

Newspapers have been asked to cooperate and not publish names of either the parents or their children.

# Desegregation Sidelights

The Afro-American
Baltimore Md
11-26-60

NEW ORLEANS, La.—Excluding two newspapermen and five NAACP attorneys, there were only three colored persons inside the courtroom where the three Federal judges heard desegregation case arguments on Friday.

The two were Clarence A. Laws, NAACP field director, and Daniel Byrd, NAACP educational researcher.

A court official told the AFRO that the lack of colored spectators was due to their not arriving early enough.

"It was simply a matter of first come, first admitted," the marshall declared.

The official was either in error, or concealing something. When the AFRO reporter arrived at the Federal Building at 8:45 a.m. there were many colored spectators already in line.

* * *

**SCOTT WILKINSON,** attorney for the pro - segregation legislative committee that is seeking to take over New Orleans schools, committed a fauk pas that, if not corrected would have gotten him fired.

Arguing in behalf of the State's Interposition Resolution, Wilkinson said:

"The people of Louisiana do not believe racial segregation is right, legally or morally, and no court can make them believe that. . . ."

A certain assistant District Attorney Richard Dgan to buzz.

Wilkinson said quickly, "I beg your pardon. I should like to correct that's statement."

His correction was: "The people of Louisiana do not believe that racial integration is right" . . . etc., etc.

* * *

**THURGOOD MARSHALL** exhibited in court, Friday, why he is called a lawyer's lawyer.

Samuel I. Rosenberg, the school board's attorney, was arguing a motion when, at one point he began to rattle off a long list of legal citations in support of his case.

To one case, he gave the wrong citation. Automatically and obviously without thinking, Thurgood blurted out the correct citation.

Even before the words were out of his mouth, he realized his error.

The opposition and, maybe, the court could have gotten the impression that the NAACP had prtpared the school board's case!

* * *

**TWENTY-FOUR** hours after a filling station operator revealed that he had fired the father of one of the four little girls now attending the two public schools where the student bodies were previously all-white, the man had numerous job offers.

Additionally, the faculties at a number of schools collected money for the family. Baskets of groceries and items of clothing also were sent.

**ONE OF THE FACTORS** which spurred city officials to counsel against violence was the we're-ready attitude displayed by one element of the colored population.

Police said that of 110 arrested Wednesday night, 29 were carrying concealed weapons and 10 had home - made gasoline bombs (Molotof cocktails) ready to toss into automobiles of marauding whites.

14d(1) 1960

NOV.1960
NEW ORLEANS

LOUISIANA

# The New Orleans Tragedy

The Birmingham News

BACKGROUNDED BY a week of turbulence and emotional chaos unmatched in New Orleans since the Civil War, a conference of three federal judges is preparing a decision as to whether integration of the city's public schools shall be pushed in the face of determined resistance by the people and the Legislature or whether the effort shall be abandoned, if only temporarily. They face an awesome decision with consequences that could be tragic and appalling.

The New Orleans School Board which, no matter what the members' private convictions and beliefs on the issue, moved with all sincerity and energy to implement the federal court's order that at least token integration should be effected, now has asked the court that the integration program be put aside until emotions can cool and the federal-state tangle can be unraveled.

An emergency session of the Louisiana Legislature, during which countless laws were enacted with the aim of halting integration in the New Orleans school, and a week of rioting and demonstration on New Orleans streets preceded the school board's request for relief from the court's order for immediate integration.

THE RIOTS and the demonstrations, accompanied, fortunately, by little violence and no serious injuries, drew the headlines in the nation's newspapers, painting a tragic picture of the traditionally gay and fun loving metropolis at the mouth of the Mississippi. But portending consequences to the city of New Orleans and its public school system of even greater seriousness than demonstrations and banner carrying was the parental boycott of those schools to which Negro students had been ordered admitted.

The street demonstrations could have been shrugged off as temporary emotion had parents of children enrolled at the two schools demonstrated their acceptance of integration by continuing to send their children to their classes. Classrooms of both schools remained practically empty throughout the past week as parents kept their children at home. Is the gesture worth it on that basis? Does the court prefer empty classrooms as monuments to its decisions?

Adding to the chaotic maelstrom in which the New Orleans school system has been plunged is the near certainty that it will find itself with no funds. Frustrated by the federal court in most of its efforts to prevent New Orleans school integration, the Legislature is making bankruptcy an actuality for integrated New Orleans schools. Faced with a $2 million school payroll Wednesday, the board can evidently expect no money from the state, and state funds are being transferred from New Orleans banks to prevent federal attachment.

EXPECTATIONS EVIDENTLY were that sophisticated New Orleans would accept integration with no resistance. The Northern press today blamed the Louisiana political leaders for the chaos in New Orleans, as if only office holders held convictions on segregation. Office holders didn't keep children away from classrooms all last week, nor were they marching with banners in New Orleans' streets.

It may be that some can interpret the New Orleans situation today only in the perspective of legal briefs and calf-bound law books. But basically what is involved are half a million human beings—white as well as colored—their welfare and that of their children. Awesome, indeed, is the decision faced by the federal judges as they weigh the factors and consequences involved in their eventual decree.

*New Orleans . . . More To Come*

## Court Ruling Waited

The Christian Science Monitor

# New Orleans Turns Calm

By the Associated Press

Boston, Mass.

New Orleans

An uneasy calm settled over this strife-troubled city Saturday while a three-judge court decided what course school integration should take.

The judges, all Southerners, considered these paths:

They can put off integration until emotions subside and a federal-state tangle unravels.

They can leave in effect a court order that admitted four Negro first-grade girls to two white schools.

Or they can dismiss legal action against Louisiana which blocks its Legislature from running New Orleans schools on a segregated basis.

New Orleans's first public-school integration since reconstruction brought a week of school boycotts, unruly protest demonstrations, and street fights.

Tempers finally cooled as schools recessed for a week to allow teachers to attend statewide conventions in Baton Rouge and for the Thanksgiving holiday.

The court's decision could set in motion the lowering of the traditional segregation barrier in the city's Roman Catholic schools.

Catholic officials say parochial first-grade classes will admit Negro pupils when and if public school racial mixing is working. Of some 46,000 pupils in the 70 New Orleans Catholic schools, about 8,700 are Negroes.

In Baton Rouge, Louisiana's fired-up legislators toned down their dander and called for an end to violence. The Legislature adjourned until Wednesday and went home to await the federal court's action.

The request to suspend integration — until federal-state differences are resolved — came from the Orleans Parish School Board. The state contends it has full sovereignty over public education.

Samuel I. Rosenberg, the board's attorney, warned the special tribunal Friday, during a three-hour hearing, that the dispute could force closure of New Orleans schools through loss of funds.

State Senator Howard Jones of St. Joseph last night said a legislative committee would transfer about $1,500,000 of school board operating money from New Orleans banks next week.

Mr. Jones said the money will go into state-chartered banks in Shreveport to avoid attempts by the federal government to freeze state-allocated funds.

The school board earlier indicated it may seek federal funds as a result of state efforts to cut off money. The board must meet a $1,900,000 monthly teacher payroll Wednesday.

## New Orleans Waits Ruling On Schools

The Washington Post

Washington D.C.

Mon 11-21-60

NEW ORLEANS, Nov. 20 (UPI)—The City and State waited tensely today for a Federal Court ruling on whether New Orleans must press on with desegregation of its public schools.

Appearance of four Negro first-graders in two previously all-white schools last week resulted in a total boycott of the schools by white students by week's end.

All public schools in the State begin a week's holiday Monday because of a series of teachers' meetings and the Thanksgiving holiday.

However, elimination of harassing and jeering crowds at the two newly-desegregated schools daily as the Negro children went to and from classes was counter-balanced by giving high school youths a week with nothing to do.

The teen-agers comprised by far the largest portion of the mob which demonstrated last Wednesday and of the groups which gathered each day at two schools.

**City Unusually Calm**

Usually gay New Orleans, meanwhile, was very quiet—unusually quiet. Police said Saturday night was the calmest in months.

Business was down sharply in the restaurants and night clubs of the French Quarter where a 17-year-old Negro youth went berserk Saturday and stabbed a 7-year-old white boy before police shot him down. The Negro, Donald Erion, was reported in serious condition with a head wound at Charity Hospital.

The three-judge Federal panel, which includes Judge J. Skelly Wright, who originally ordered New Orleans' schools desegregated, may rule Monday on the legality of a move by the Louisiana Legislature to "interpose" its authority between the Federal Government and the City schools.

**Temporary Halt Asked**

The Court may also rule on the appeal of the City School Board for a temporary halt to the program. The legislature has cut off State funds and the board, faced with payment on teachers' salaries on Wednesdya, is running out of money.

At Catholic churches thoughout the city today, a message was read from the Archbishop of the Diocese calling upon all citizens for calmness and obedience to law and order. The City's numerous Catholic schools have not yet been desegregated but they are expected to be as soon as the public school action is satisfactorily underway.

# Judge Reviled in Louisiana Dispute

The Washington Post
Washington, D. C.
11/27/60

By James E. Clayton
Staff Reporter

NEW ORLEANS, Nov. 20 — His name is James Skelly Wright. Down in the Louisiana State Legislature last week they were calling him Judas Scalawag Wright.

Clayton

Some of his former friends say publicly that he is a traitor to his class and to the South. They avoid him in public and in private. A cross has been burned on the lawn of his home. He removed his name from the telephone book when insulting calls began to come too frequently. He has heard former political associates call for his impeachment and even for his arrest and imprisonment.

All this has come in this cosmopolitan city because Judge Wright has brooked no interference with enforcement of his desegregation orders. He has moved with speed and with courage to slap down the Louisiana Legislature as no Federal judge has ever done before.

### Smiles and Laughs

Throughout it all, Judge Wright has been able to smile and, occasionally, to laugh. Some of things that have been said about him and about the legal situation here are such that the only way to regard them is with laughter. To take them all seriously would drive a man to frustration with their dastardliness and to despair for the intelligence of the human race.

To Judge Wright, the things he has done in the last five years make him neither a hero nor a traitor. He has ordered the desegregation of the professional schools at Louisiana State University, the desegregation of the city buses, the opening of public parks to Negroes, the restoration of hundreds of Negroes to voting lists, and, finally, the desegregation of the public schools.

### Does His Duty

His friends say these actions may or may not reflect Judge Wright's private views. Instead, they are his professional views of what the law requires. He has done his duty as a judge of the United States District Court as he sees it.

But to Judge Wright, the outpouring of insults that have come in recent days not only from the South's professional segregationists, from the men in the street, state officials, and even members of Congress must seem strangely inconsistent with the past.

Born here in 1911, Judge Wright is a Louisiana Irish Catholic through and through. He attended Loyola University and its law school. He taught high school here. He was a popular Assistant United States Attorney.

### Former Washington Lawyer

After a hitch in the Coast Guard, he was a highly successful lawyer in Washington. He had enough political support to win an eagerly-sought judgeship here in 1949. He once had close ties to the State's political machine and to Louisiana oil interests, a powerful force in state politics.

In fact, he had such support that in 1949 he was almost appointed by President Truman to the Circuit Court of Appeals for this area. His age, 38, was the stumbling block and he got a district court seat when Judge William Borah was promoted to the Court of Appeals.

On Thursday night, for the first time since the school crisis began here two weeks ago, kind words were being said in public about Judge Wright. And those did not mention him by a name. Instead, they came in a resolution adopted by the New Orleans Bar Association deploring attacks "impugning the integrity of the judicial system."

### Takes Storm Calmly

As the storm swirled around his head this week and teenagers roamed the streets with signs damning him, Judge Wright went on running his court as if nothing was happening.

Sitting at the courthouse late last Sunday night, he signed an order aimed at, among other people, the entire Louisiana State Legislature. At his home on Monday night, he signed another one aimed at a slightly different action of the same group.

On Thursday, however, he was sitting in his courtroom, quietly listening to evidence in a contract dispute over some gas well equipment.

He seemed to be taking the storm in the same calm manner in which he runs his courtroom. The fact that he is the first judge to strike down an interposition statute as unconstitutional and to enjoin an entire State Legislature seem to leave him unmoved.

One has the feeling in looking at his handsome but stern face and his cold blue eyes that his friends are right when they describe him as a "brilliant lawyer with a great amount of personal courage."

# New Orleans Awaits Ruling From Court

Jackson Daily News
Jackson, Miss.
Mon. 11-27-60
Pg 1

NEW ORLEANS (AP) — An uncertain quiet prevailed over this troubled Deep South city today as it waited for a three-judge federal court to rule on school integration.

The three southern judges considered these paths of action:

1. A school board request to suspend integration until federal-state differences are settled.

2. A federal move to enjoin state officials and prevent their interference with school integration. A temporary restraining order, now effective, expires when the court rules.

3. A state motion calling for dismissal of action against Louisiana officials and the return of schools to their traditionally segregated basis. The motion stems from a rarely-used interposition act which advocates say gives the state power to use its sovereignty as a shield to block the federal integration order.

### NO HINT WHEN

Judge Richard T. Rives of Montgomery, Ala., chief judge of the U.S. Fifth Circuit Court of Appeals, declined to say when the ruling would be handed down.

With him on the special tribunal that heard arguments on the matter Friday were U.S. District Judge J. Skelly Wright, who ordered New Orleans integration; and U. S. District Judge Hebert Christenberry. Both are from New Orleans.

While city and state officials awaited a court decision, New Orleans public schools closed for a week's holiday. Pupils are home during Thanksgiving and while teachers attend segregated statewide conventions.

Police reported a calm weekend. It came in sharp contrast to five stormy days that followed the admission of four Negro first graders to two white schools last Monday.

Meanwhile, Louisiana legislators worked on stubbornly behind the scenes in an effort to forestall integration. The legislature has adjourned until noon Wednesday.

A five-man delegation met with an aide of Sen. John F. Kennedy in Palm Beach, Fla., trying to ferret out the president-elect's position in the school situation.

Specifically, the legislators asked what Kennedy's position was on the federal court's action in ordering the legislature to keep hands off the New Orleans school case.

There was no immediate comment from Palm Beach.

### MONEY SQUEEZE

A financial squeeze was expected this week against the money-beset New Orleans school board, faced with a two million dollar teacher payroll.

The state was reported ready to transfer 1.5 million dollars of school board funds from New Orleans to state-chartered banks in Shreveport.

That would put the money beyond the jurisdiction of federal courts in case the government attempts to freeze the funds, state officials say.

Meanwhile, a parent group with children attending the St. Mary of the Angels Catholic school here said they would boycott the school if it is integrated.

Representatives from other Catholic parishes said they would join the boycott.

Catholic officials say parochial schools first grade classes will be integrated here when public schools integration is operating effectively.

14d(1) 1960

LOUISIANA

NOV. 1960

# Tension Rises Over New Orleans School Integration

United Press International Telephoto

**Teen-age girls demonstrating yesterday outside an elementary school in New Orleans**

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Nov. 15—Policemen armed with night sticks, supported by a mounted unit on horseback, held back jeering demonstrators today at two desegregated public schools here. Seven men, two youths and a woman, all white persons—were arrested. The charges against them ranged from disturbing the peace to insulting the patrolmen. These and other incidents aroused racial tension on the second day in which four Negro girls attended the first grade at two schools. The pupils' transfer yesterday marked the first classroom desegregation below the college level in Louisiana.

The transfer was ordered by Lloyd J. Rittiner, president of the Orleans Parish (County) school board, and three other board members, on the basis of rulings by Federal District Judge J. Skelly Wright.

**Restrained by Court**

The Legislature, meting at Baton Rouge in special session, voted to oust the four board members for refusing to obey anti-integration directives.

But Judge Wright issued a restraining order against the lawmakers for the second time in twenty-four hours. He also nullified an action in state court to restore segregation.

A new special session is scheduled to convene tomorrow for a thirty-day period in which additional segregation proposals will be considered.

Judge Wright had forbidden legislators earlier from blocking desegregation by assuming control of schools here and calling a state-wide holiday.

The board reported that attendance at the affected schools had dropped sharply. They are McDonogh No. 19 and William Frantz, both situated in mixed white and Negro neighborhoods. Their total normal attendance is more than 1,000. But only twenty pupils were in classes at McDonogh today and only forty-five were at Frantz.

**Mothers Remove Books**

A procession of mothers moved in and out of the schools removing books and other belongings of their children. Many vowed that their children would not return to classes so long as the Negroes were there.

The Louisiana Citizens Councils, Inc., a pro-segregationist group, staged a mass rally tonight at the municipal auditorium.

In a statement issued in Baton Rouge, Gov. Jimmie H. Davis said:

"I know feeling is running high in New Orleans because of the fact that the big majority, and in fact practically all, of the people do not want integrated schools.

"I think it is timely and in order for me to suggest that people restrain their emotions and above all things keep a cool head."

**Governor Enjoined**

Governor Davis is under a Federal Court injunction forbidding any further interference with desegregation. At his urging, two special sessions of the Legislature have passed dozens of measures designed to thwart the courts.

An atmosphere of trouble hung over this urbane seat of French culture, to which thousands of persons come here each year for the pre-Lenten festival of Mardi Gras.

The police reported bomb scares at the home of Judge Wright and at Warren Easton High School. Students were removed from the building while a search was made.

As they stood outside, a brick was hurled through the window of a passing car driven by a Negro woman.

Twelve carloads of teen-aged youths raced through red lights along Canal Street, in the heart of the business district, shouting and waving Confederate flags. The police reported that one car had been stopped and its occupants arrested.

**4 Negroes Seized**

In another development, four Negro youths were charged with the rape of a 16-year-old white girl.

At McDonogh School, where three of the four Negroes are attending the first grade, a crowd estimated at 250 persons had gathered when six Federal marshals escorted the pupils into the three-story, stucco building at 8:48 A. M., Central standard time.

High school boys paraded along the sidewalk on busy St. Claude Avenue across from the school. They chanted "two, four, six, eight, we don't want to integrate." Many carried crudely lettered placards and small Confederate flags.

An unshaven man in soiled khakis harangued the police who stood facing the crowd. He and a handful of men sought to charge across the street. The patrolmen quickly pushed him back.

"Hey, hey, what do you say, let's close the schools today," the crowd yelled. A shaggy-haired youth hung a stuffed monkey from a cedar tree in front of a residence. He then held up a placard to indicate the monkey represented Judge Wright.

Teen-agers flailed the monkey with small United States flags.

**Two Women Felled**

In the confusion, a pick-up truck rammed into the rear of a sedan. There was no great damage. Two older women ran across the street toward the school and were knocked down by a passing car. Neither was seriously hurt.

A group of high school boys surged down a side street flanking the school and across a ditch. As they came up behind a building, they were blocked by a patrolman on foot. He began swinging his night stick and held them back until reinforcements arrived.

A blond woman pushed to the edge of the sidewalk in front of the school and held up a placard that read: "Nigger Lover Cops."

Two patrolmen grasped her arms and started toward a squad car. She began kicking and screaming while the other demonstrators booed and shouted insults and curses. The mounted policemen galloped up and moved them back as the woman was dragged away.

**Taken to Jail**

She was later led to a patrol wagon, which carried her to jail.

A short time later, the police blocked traffic on the avenue and cleared the sidewalks near the school.

A similar group was held back at the Frantz School. A man was arrested there when someone shouted, "he's got a gun." It turned out to be a toy revolver. He was charged with carrying a concealed weapon and disturbing the peace.

More trouble developed after the three Negro children had been driven away from the McDonogh School, some twenty minutes before other pupils were released.

White women among the demonstrators in front of the school threatened to attack a group of mothers who had picked up their children to see them home safely. The police scattered the crowd and forced it to leave the area.

# LOUISIANA CITES RELIEF REVISIONS

## Hearing Is Told of Changes Designed to Avert Halt in Federal Aid Funds

By BESS FURMAN

Special to The New York Times.

WASHINGTON, Nov. 15—Louisiana disclosed today changes in state-relief regulations made in the hope of preventing a cut-off of Federal funds for aid to dependent children.

The changes, put into effect Thursday, were described by Mrs. Mary Evelyn Parker, Commissioner of the Louisiana Department of Welfare, at a Department of Health, Education and Welfare hearing.

They met many of the objections the Federal Government had raised to the manner in which 23,000 Louisiana children were suddenly cut off relief in July. These children were in or from homes headed by unmarried couples or by mothers who had an illegitimate child after receiving her first relief check.

**Prospective Schedule**

Mr. Mitchell has allowed ten days for filing of briefs. His decision in the case is not expected before mid-December. Thus, no cut-off of Federal funds to Louisiana could come before January.

The state law under which the state agency acted in July made "suitable homes" for the children an aid requirement. Mrs. Parker told reporters today that many marriages had already resulted from the law.

She told the hearing that the state changes put into effect Thursday were designed to promote transitions to suitable homes. They provide, she testified, full investigation of each case, including local board consideration if needed, a family is cut off the rolls. When the local board is unable to act in thirty days the case must be sent to the state commissioner for decision.

The state agency would work with the mother to try to get her to make her home suitable by ruling out illicit relationships.

Where the home continues unsuitable, she testified, the state agency would try to place the children with relatives whose homes were suitable, continuing the relief checks.

Serious neglect cases would be referred to the courts.

**Figures on Restorations**

Mrs. Parekr said about 60 per cent of the cut-off families were back on the rolls. These families included about 40 per cent of the cut-off children, she added.

Mrs. Parker said that no national welfare group protested to the Louisiana Legislature while the law was pending. She declared that, although twenty-four states had "suitable home" plans and the Federal Government had had a great deal of experience with them, the Federal Bureau of Public Assist-

"That is why I have won-dered why we were not offered "they just don't put the cases as Missis-back on the rolls in Mississippi."

"almost siamese twins," yet the Federal Government had nego-children than Louisiana had and not send any word to Louisi-tiated for several years with the same opportunity as Mississippi and had finally ap-sippi," she commented. She said that Louisiana's proved a plan granting funds to sippi had cut off from aid Mississippi's law were that state under its law.

# New Orleans' Integration 'Siege'

*Special to The Christian Science Monitor*

**New Orleans**

For the first time since reconstruction, New Orleans public schools were desegregated Monday. And to the immense relief of authorities and a tense and fearful public, no violence was involved.

Flanked by stony-faced United States marshals, four little Negro girls were escorted into two public schools to the jeers and catcalls of several hundred bystanders. The scene at the two schools resembled that of a fortress under siege, with scores of city police on hand to preserve order.

## State Order Defied

New Orleans public schools, defying a Louisiana legislative order to shut down for a hastily declared "state holiday" were ghost buildings in some areas, with only a small proportion of their regular enrollment showing up for classes. Many parents ascribed the absence of their children to the apprehension generated by the unrelenting struggle between the state legislature and the federal courts.

On Tuesday, mounted policemen held off a crowd of teenagers trying to break into the grounds of McDonough 19. Six were arrested. At the Frantz School several children walked along the opposite sidewalk carrying signs reading, "We don't want a federal dictator."

There were reports that less than 25 students of the total combined enrollment of 1,000 attended classes at the two schools Tuesday.

The two schools integrated in the first grades by orders of the federal court were McDonough No. 19 and William T. Frantz schools. Although the identity of the schools had been kept a closely guarded secret, the corporal's guard of white students who showed up for classes there suggested that somebody had let the cat out of the bag.

And their numbers were further diminished during the day as irate parents called for their children and shepherded them from the buildings. Both schools ended the day with less than 10 per cent of their normal enrollments of 500 to 600 pupils.

Meanwhile, the duel between a recalcitrant Legislature and the federal courts rocketed along without abatement. The Orleans parish school board, which consistently has flouted legislative edicts to go its own way of token compliance with federal court decrees, was addressed out of office by the Legislature, which itself is under federal court orders not to interfere with operations of the board.

At a late hour Monday, Federal Judge J. Skelly Wright, who has repeatedly voided every act of the Legislature aimed at the preservation of segregation, methodically knocked out the latest legislative action.

## Interposition View

Meanwhile the hard-pressed school board was under restraining orders issued by two state courts. One of them enjoined the board from operating the schools, the other enjoined it from dedicating school monies.

The fight over integration Monday seemed to be centered in three fronts, with the dominant struggle between state and federal governments. Less flamboyant but just as deadly were the continuing clashes between Legislature and school board.

A third field of combat was the friction in the Legislature itself between New Orleans legislators and upstate solons, particularly those centered in the states' rights strongholds of north Louisiana.

The Orleans delegation, although not always united on every issue, have in the main stanchly opposed the flood of antisegregation legislation enacted at Baton Rouge. Although the measures have steam-rollered through with general support from throughout the state, observers note a greater degree of vehemence and determination among the north Louisianians.

The classic segregation battle seemed to be heading for a judicial determination of the doctrine of interposition, upon which the state is banking heavily. The Legislature, in session Monday, rang with denunciations of the federal courts, and there were strident demands for the arrest of Judge Wright, who has enjoined the legislators and virtually every police official in the state against interference with the schools.

**FACE OF A SEGREGATIONIST**—This screaming struggling, spitting woman, her face mirroring pure hate, is typical of mob members who are making war on four six-year-old girls in New Orleans. She is being carried away by police who were forced to use motorcycles and fire hoses to disperse the throng, whipped up to a fury by Gov. Jimmie Davis, the legislature and the White Citizens Council.

14d(1) 1960

LOUISIANA

NOV. 1960

NEW ORLEANS (VIOLENCE)

—Photo by The Times-Picayune.

RESTING COMFORTABLY in Charity hospital after being stabbed by a beserk teen-ager is Byron Walter Goss, being consoled by his mother, Mrs. Gladys Kay. Goss, 7, was stabbed by Donald Brion, 17, Negro, who was shot by police as he attempted to run away.

The Times-Picayune
New Orleans, La.
Sun. H-20-60

# Berserk Teen-Ager Shot by Cop After Knifing Boy

## N.O. 7-Year-Old Stabbed 4 Men Threatened

A berserk Negro teen-ager was shot twice by a New Orleans policeman about noon Saturday after he had stabbed a seven-year-old white boy at play and threatened to stab four white men, including the patrolman.

In serious condition at Charity hospital with gunshot wounds of the head and left hand is Donald Brion, 17, 1619 St. Peter. He was shot twice by Pfc. James Simmons in front of 941 Dauphine as the driver of a motorcycle, chased by several white youths. Walter Goss, 7, of 932 Burgundy, as the youngster was on his way with his five-year-old stepbrother, Daniel Kay, to the Cabrini playground nearby.

**ORDERED TO HALT**

Police were on a dragnet-type hunt for "a Negro male carrying a machete" in the area when Simmons and Brion confronted each other.

Simmons, according to Capt. Lucien Cutrera of First District, challenged Brion to halt and was forced to shoot when the Negro advanced on him with the knife, described as a kitchen-type with a four-inch blade.

**Earlier, Brion reportedly went to an automotive shop on Burgundy and threatened to stab George Zimmer, operator of the shop. Zimmer chased Brion out of his establishment and went to get a shotgun before he was stopped by another person at the shop.**

Brion allegedly threatened two other white men in a second establishment on Burgundy, but was chased out by the two men.

**NOT SERIOUSLY HURT**

The Goss child was not seriously hurt, but required several stitches for the knife wound in his left side. Both he and his assailant were taken to Charity hospital for treatment.

**At the hospital, Mrs. Gladys Kay, the boy's mother, said the boy told her the Negro said, "You killed my brother!," as he stabbed him.**

**The boy was stabbed after being beaten and kicked near a doorway at 907 St. Philip where afterwards lay a broken plastic toy guitar and signs of fresh blood.**

Walter had just gotten the guitar Saturday morning with money his stepfather, Harold Kay, a service station man, had given him for having "E's" on his report card, Mrs. Kay said.

The child fled from the scene of the cutting to his home, less than a block away, his five-year-old stepbrother ran ahead of him and was across the street when the assault took place.

In addition to Cutrera and Simmons, others investigating the incident included members of the homicide division and First District officers.

# Negro Runs Wild, Slashes White Boy

Jackson Daily News
Jackson, Miss.
Sun. H-20-60

NEW ORLEANS, La. (UPI)—A teen-age Negro boy, shouting obscenities about the courts and the white people, ran amuck with a knife in the famed French Quarter Saturday and severely wounded a small white boy before he was shot down by police.

The Negro slashed away at whites along Dauphine Street—just a block away from famed Bourbon Street—in the latest outbreak of racial violence brought on by tensions over integration of New Orleans schools.

The Negro, identified as Donald Erion, 17, was taken to a hospital in critical condition with a severe head wound.

His victim, Byron Walter Gross, 7, was severely cut under the left arm after the Negro attacked the boy as he stood on his front steps playing a ukulele.

It was about noon when the morning-after quiet of the Quarter was shattered by the Negro boy suddenly running into white shops and bars and cursing the proprietors.

Then he drew a four-inch knife and began slashing away at whites, screaming he didn't "give a ——about the federal government, the courts, the white people."

His knife slashed away the coat sleeve of one white man who ran for a shotgun.

Then Erion came upon the Goss boy. He broke the ukulele, kicked and stomped the boy and cut him. The wound was sewed up at Charity Hospital and the boy was pronounced in good condition.

Women began screaming "Get him! Get him!" A police officer in a three-wheel traffic cycle drew his pistol and shot from about 20 feet as Erion ducked between a small sports car and the wall. One bullet hit him in the hand and the other in the head.

# YOUTH CRITICAL AFTER MELEE IN NEW ORLEANS

Atlanta Daily World
Atlanta, Ga.
Sun. H-20-60

NEW ORLEANS — (UPI) — A teenage Negro boy, shouting obscenities about the courts and white people, ran amok with a knife in the famed French Quarter Saturday and severely wounded a small white boy before he was shot down by police.

The youth, who appeared crazed by dope, slashed away at whites along Dauphine treet — just a block away from famed Bourbon treet — in the latest outbreak of racial violence brought on by tensions over integration of New Orleans schools.

The youth, identified as Donald Erion, 17, was taken to a hospital in critical condition with a severe head wound.

His victim, Byron Walter Goss, 7, was severely cut under the left arm after the youth attacked the boy as he stood on his front steps playing a ukelele.

**BIG CROWD**

The rampage and shooting drew a big crowd in the streets of the quarter. It was an ominous start for a period which the city had hoped would be peaceful with the schools closed until Nov. 28.

The city had been relatively quiet since mob scenes and violence on Wednesday. It was awaiting the ruling of a federal court on state and school board attempts to reverse integration and get four first grade Negro girls out of the schools.

It was about noon when the morning - after quiet of the quarter was shattered by the Negro boy suddenly running into white bars and shops and cursing the proprietors.

Then he drew a four-inch knife and began slashing away at whites, screaming he didn't "give a —— about the federal government the courts, the white people."

His knife slashed away the coat sleeves of one white man who ran for a shotgun.

He stomped the boy and cut him. It was feared the boy had a skull fracture, too.

Women began screaming "get him, get him." A police officer in the three-wheel traffic cycle took his pistol and shot from about 20 feet as Erion ducked between a small sports car and the wall. One bullet hit him in the hand and the other in the head.

The sidewalk was covered with blood in front of a bar which has segregated entrances and areas for Negroes and whites.

Police kept the crowd moving and it gradually dispersed. But the police were expected to take extra precautions in the area Saturday night when the usual Saturday revelry could lead to more trouble.

**UNHAPPY WEEK**

The week had been one of the unhappiest in New Orleans history. The admission of the four girls to white schools brought knifings, stonings, cross burning, hundreds of arrest and use of fire hoses on mobs. It brought consternation to restaurants proud of the city's famed reputation for gracious living.

**The schools will be closed all next week for teachers' meetings and the Thanksgiving holiday. But New Orleans most likely will be face to face with the integration conflict on Monday, Nov. 28.**

If the court refuses to back down on integration - as it has in the past - and pro-segregationists push ahead with such moves as cutting off funds for the New Orleans schools, it could lead to complete shutdown of the educational system or to another federal intervention by force such as occurred in Little Rock.

14d(1) 1960

LOUISIANA

NOV.1960
NEW ORLEANS

# BOYCOTT WEAKER IN NEW ORLEANS

The N.Y. Times

## 4 More White Pupils Join Negro at Frantz School

New York

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Dec. 1—Angry white women attacked bystanders today as signs of a break appeared in a boycott of the city's two desegregated schools.

11-12-2-60

The cursing, screaming group manhandled a college student and pushed an elderly lawyer outside the William Frantz School. Heavily reinforced police units prevented them from interfering with the arrival and departure of pupils.

Four additional white children joined two others and a lone Negro girl at Frantz. Other whites were expected to return there tomorrow or next week.

A total boycott of the second affected school, McDonogh No. 19, continued for the fifth day. Three Negro girls were the only pupils reporting for classes.

However, an official of the Citizens' Council of Greater New Orleans, who declined to have his name used, expressed concern over the future effectiveness of the boycott.

The two elemenary institutions have a normal attendance of 1,000. A total of 475 pupils from the two are now in school in adjacent St. Bernard Parish (County).

Parent groups and council at the school. The women overheard his answers to reporters' questions and immediately began to shout insults at him.

Mr. Dreyfous said he was present merely as an observer interested in seeing whether parents were receiving police protection. He praised the police as three patrolmen escorted him along a sidewalk away from the demonstrators.

The howling women pushed the lawyer several times before their attention was diverted by S. Langston Goldfinch, a college student arrested recently in a sit-in demonstration against segregated lunch counters.

"That big gorilla," yelled one woman as she recognized Mr. Goldfinch. "He was settin' in Woolworth's with them niggers."

Another shouted, "the dirty s. o. b." and the pack raced after him in full cry.

The student was pushed and pummeled by the mob as he stumbled toward his car. Asked why he had come to the school, he replied:

"I didn't think anyone would recognize me."

Mr. Goldfinch identified himself as a member of the Congress of Racial Equality, called CORE. He was accompanied by three other youths. No until they all had piled into a sedan did the women learn that they were his companions.

The police held back the demonstrators but a handful of rocks and a black handbag struck thev ehicle as it pulled away. A patrolman picked up the bag and handed it back to its owner.

officials pushed plans to establish private, cooperative classes for the remaining pupils. A special session of the Legislature, meeting in Baton Rouge, took up a proposal to give state grants of $343 a year to each child. The grants would finance education in pricate, non-sectarian schools.

P. 14

The lawmakers also rushed todawrd enactment a bill to create a new five-man school board for Orleans Parish (New Orleans). The members would be appointed by Gov. Jimmie H. Davis.

New York

Their action came in the face of a Federal court decision yesterday reaffirming a desegregation plan and enjoining any legislative interference. The three-judge district panel specifically voided a previous attemtp by the Legislature to oust the present school board.

That decision and the return of white pupils appeared to have enraged the adamant group of fifty demonstrators gathered at Frantz School this morning.

### Police Escort Provided

The women's tempers were further inflamed by the arrival of Mrs. Orlando Gabrielle in a station wagon escorted by two city detectives in an unmarked car. She had heretofore walked to the school with her first-grade daughter, Yolanda.

She had been attacked twice by the women.

The women members of Save Our Schools, a local group organized to fight for continued public education, drove her to the school this morning to leave the child and again this afternoon to pick her up.

The Rev. Lloyd A. Foreman brought his 5-year-old daughter, Pamela Lynn, to the school in his car along with two unidentified boys.

Deputy Federal marshals escorted the 6-year-old Negro pupil( whose name has been withheld.

After the children had arrived, the demonstrators swarmed around the near-by home of Mr. Foreman to yell taunts.

### Morrison a Target

One woman jerked a rag doll up and down with a cord around its neck. The doll bore the words "Mayor Morrison," a reference to deLesseps S. Morrison, the city's Mayor and a favorit target of the segregationists. Another held up a metal automobile tag bearing a bayonet and the slogan, "Remember Little Rock."

A short time later, George A. Dreyfous, 66-year-old lawyer and president of the Louisiana Civil Liberties Union, appeared

Associated Press Wirephoto

**ANGRY WOMEN jeer S. Langston Goldfinch, who fled to safety of rear seat of car outside William Frantz School in New Orleans. He was pummeled when crowd recognized him as student recently arrested in sit-in protest against segregated lunch counters.**

# NEW ORLEANS RIFT TAKES TRADE TOLL

## Hotel and Retail Businesses Show Slump as Protests on Integration Continue

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Dec. 5—Disturbances surrounding the public school desegregation controversy have taken a heavy toll here in economic and social terms.

This fact is apparent in the public statements of New Orleans' Mayor and the private conversations of business and civic leaders.

But thus far local interests have not been hurt to the point of openly challenging the militant segregationists held responsible for the damage.

[Meanwhile, attendance by seventeen white students at New Orleans' William Frantz School, which has been integrated, reduced the effectiveness of a segregationist boycott, according to The Associated Press.]

### Restaurants Affected

Busines leaders have declined to speak for the record, but the best available estimates snow that hotel and restaurant trade, a major factor in this city's economy, is off more than 20 per cent.

Hotel cancellations, which nationally average some 10 to 12 per cent, have run higher than 25 per cent here in the last twenty days.

Taxi drivers complain that fares are scarce after sunset. Empty tables form chackerboard patterns in the famed restaurants of the Vieux Carre. And the voice of the pitchman outside the night spots of Bourbon Street carries a new note of urgency.

This is true although there has been little serious violence, with the exception of the sporadic rioting of Nov. 16 that followed a disorganized attempt to march on the school board offices. This, in turn, was followed by a series of racial clashes as Negroes retaliated.

Since that time, the demonstrations have been confined largely to the area of William Frantz School, a three-story brick structure in the heart of a lower-income residential district.

Residents as well as tourists have reacted to the dispute. Sales reportedly plummeted as much as 40 per cent in some major department stores after the outbursts.

However, advertising campaigns, bargain sales, good weather and the approach of Christmas have brought some improvement.

### Slump Preceded Dispute

Business men point out that New Orleans was in a financial slump even before desegregation. They say no definitive estimate can be made of the controversy's influence. But they readily concede that it has been an important factor.

Mayor deLesseps S. Morrison called in news media representatives today to discuss a proposed three-day moratorium of coverage, with reports to be provided by the police or a press pool. He suggested that if newsmen stayed away from the schools, so might the demonstrators.

The Mayor also made clear that he was concerned over the economic impact of the demonstrations.

In a counter-proposal, newsmen suggested that the police block off the area around the school and bar the demonstrators. Mr. Morrison replied that the time had not arrived for such stringent measures.

The police have permitted demonstrations by a handful of vociferous segregationists to continue at the two schools on ground that they have a right to express their dissent.

But the segregationists' presence has served to intimidate white mothers who might otherwise have ignored the boycott promoted by the Citizens' Councils. A local organization, Save Our Schools, has scored a token reduction in the boycott's effectiveness by providing safe transportation for pupils.

### Avenues to Normalcy

However, no return to normalcy can be expected until the segregationists leave the schools and Gov. Jimmie H. Davis and the Legislature have relented in their campaign to resist integration.

Only time and the mounting cost of repeated special legislative sessions are likely to bring about the latter. But there are many persons here who believe that the legal tools for clearing the streets around the schools are already available.

Local legal experts contend that this is a chore for the Justice Department. Through an action taken recently by the United States Attorney here in Federal District Court, the department has become a party to the desegregation case. One lawyer argued that it should now abtain an injunction against the demonstrators. Furthermore, he said, the department should be responsible for bringing contempt action against anyone violating an injunction already issued against the Governor and the Legislature.

Power to end the demonstrations also lies with Mayor Morrison and the city police. But they have avoided any action that might be regarded as enforcement of the desegregation order. However, the Mayor, in public statements, and business and civic leaders, in private conversations, have shown a keen awareness of the damage already inflicted on the city.

# Court Holds Firm for Integration

## New Orleans Seethes

By Bicknell Eubanks

*Staff Correspondent of The Christian Science Monitor*

### New Orleans

The integration crisis swept through this city of charm and commerce with a swiftness that caught most of the people by surprise.

Now the struggle over token integration of four small Negro children in a school system of thousands has reached a new stage.

Politicians had promised the people of Louisiana that the state would interpose its sovereignty between federal authority and the segregated schools. They have been turned back at every stage by a firm judicial system which has asserted federal authority in upholding constitutional guarantees of equal rights for all American citizens.

### Hands-Off Order

In a massive legal step, a three-judge federal court, sitting in New Orleans, has ordered all officials, state and local, to keep hands off the integration of the public schools in this state.

It then turned to Texas and directed approval of a 12-year graduated integration plan for Dallas public schools. Under this plan integration would start in the first grade and move one grade a year.

However, the United States Fifth Circuit Court of Appeals said, "We do not mean to approve the stair-step plan insofar as it postpones full integration." It asked the district court to be sure that there be "deliberate speed" in the Dallas action.

### Scope Surprises

The court's move caught many Louisianans by surprise. They had more or less expected the three-man court to deny a request that integration in the Crescent City be postponed for a year. The scope of the court action was not expected.

The decision was aimed not only at Louisiana statutes which directly require segregation, but also at any state action which by indirection would seek to foster the separation of races in the public schools.

What the federal courts are doing is to let the Louisana officials know in no uncertain terms that the legal terms have been laid down already. Insofar as the federal government is concerned, the fighting is over.

### Governor Enjoined

The skirmishes now going on show no signs of changing the attitude of the federal authorities.

With the latest ruling that enjoins more than 700 state and local officials — including Gov. James H. Davis and the State Legislature—from further interference with racially mixed classes, 18 state acts and four legislative resolutions designed to preserve segregated schools were held to be unconstitutional.

From this came more than a hint that any future legislation of this type would meet just as vigorous and just as quick action.

### Explosive Factors

This federal action still leaves untouched, however, the intense feeling which is dividing old friends and even families as the city struggles to regain its equilibrium. It is a repeat of the intense emotional upheaval which swept over the capital of neighboring Arkansas when the City of Little Rock also was thrown into turmoil as politicians sought to ward off integration.

The New Orleans situation contains more potential danger because the locale of the action is a section where white and Negro families live in close proximity.

An added explosive factor is the economic competition which has developed in the last decade between whites and Negroes in this section.

There was no design on the part of anyone attempting desegregation in the so-called fringe area. It just happened, according to officials, that after a series of tests set up by the state for pupil placement, the burden fell on the two elementary schools which are involved.

### Demonstrators Out

Demonstrations are continuing outside the desegregated schools. On Wednesday there was a bitter crowd of some 1,000 — mostly teen-agers—who marched on the City Hall and the school board building. They were dispersed by police action.

So far, the radical elements and the agitators who reflect the views of the hostile white citizens councils have had the field almost to themselves.

The moderates, who would meet the situation with more restrained tactics, have not found the leadership necessary to stand up against the impact of economic and other threats hurled at anyone who shows a willingness to go along with even the token integration here.

### No Moderate Voice

As yet, no legislator has been able to stand up in either the House or Senate in Baton Rouge and defend the actions of the Orleans Parish School Board in trying to carry out federal court orders.

The Louisiana Legislature reacted vehemently against the decision of the three-man court by a series of what could best be described as "Fourth of July" speeches.

The legislators, sitting in special session at the call of Governor David to block integration, had nothing definite to offer to counter the new federal court ruling.

### Still Determined

State Representative John S. Garrett, chairman of the Joint Legislative Committee on Segregation, said, "We are still going to interpose the sovereign right of the State of Louisiana and the federal government. Before this fight is over, we're going to determine once and for all if the states have any rights left."

But the general feeling of the legislators, unspoken yet apparent, was expressed in a simple statement by Senator French Jordan, who said: "I don't know what we are fixing to do, but we are fixing to do something, and I'm going to be for it. Our work is cut out for us."

Russell H. Lenz, Chief Cartographer

**New Orleans Integration Crisis**

**More than 400 of the 1,000 white students whose parents have kept them away from two elementary schools in Orleans Parish have been enrolled in five schools in neighboring parishes (marked by stars). The two schools, William Frantz and McDonogh 19, also indicated, are in an area which some observers say was a poor one with which to start integration. They suggest that the area around Tulane University would have been better.**

**Pressure Remains**

# New Orleans Gets Respite

*Special to The Christian Science Monitor*

**New Orleans**

An embattled New Orleans given a precious respite this week, will look around and ponder the future. An "armistice" came in the integration crisis as the public schools closed for the Thanksgiving week.

The holiday, at the end of perhaps the most hectic and tumultuous week in New Orleans's modern history, was to enable teachers to attend a series of educational meetings in the state through Wednesday. Happily, the traditional Thanksgiving holidays occur Thursday and Friday to round out the week's welcome inactivity.

Is the respite anything but a temporary cessation of the tension and rampant confusion which have bedeviled the public schools since last Monday? Then, acting under federal court orders, school authorities integrated two previously all-white schools with four Negro first-graders.

### In Streets and in Court

Impending, and then completed, this action precipitated everything from boisterous demonstrations in the city last Wednesday to a struggle between the federal courts and a defiant and bellicose Legislature.

In the no man's land between these legislative and judicial behemoths has been the Orleans Parish School Board, repeatedly ousted by the rampant Legislature, and just as often restored to power by the federal courts.

At bottom of this conflict is the inflexible determination of the Legislature to hold the line against the school integration in Louisiana of even a solitary Negro child. To this end it has enacted a torrent of segregation legislation, virtually all of which has been declared unconstitutional by federal district Judge J. Skelly Wright in New Orleans.

### No Solution Sighted

Observers feel that there is little hope for resolution of the conflict until the United States Supreme Court passes on the right of the Legislature to interpose itself between the federal government and the public schools. And the unlikelihood that it will rule in favor of the state on the interposition issue is reflected by an address last week before the legislature by United States Representative Otto Passman of the Fifth Congressional District. Said he:

"If such a case (interposition) should go to the Supreme Court, all of us could predict the probable decision. But we may have gained valuable time as the result of the proceedings."

### Funds Shut Off

One is inclined to ask, "valuable time for what?" and many believe the grand strategy lies in economic strangulation of the schools beyond the power of the government to intervene. This drastic technique is already being applied by the Legislature. The question is whether or not it will achieve what more direct methods could not.

The financial plight of New Orleans schools is underscored by the fact that virtually every avenue of obtaining funds normally open to them has been closed. Because the status of the board remains clouded, the banks have declined to follow their usual custom of lending it money against expected income.

The projected sale of a $10,000,000 school-bond issue had to be called off earlier this month because of the near-usurious rates proposed by lenders. They justified the high interest on the grounds the unsettled school situation renders the investment unattractive.

Finally, legislators, who recessed last Friday until noon this Wednesday, have openly predicted that they will take $1,500,000 of Orleans Parish School Board operating funds from the State Treasury in Baton Rouge and transfer it to a state-chartered bank in Shreveport, thus placing it beyond the jurisdiction of the federal courts.

### Payroll Date Looms

An imminent financial impasse impends when a $1,900,000 school payroll becomes due Wednesday. The money was not in sight over the weekend.

Authorities feel that unless the economic impasse is resolved in the immediate future, the school board will have no choice but to close down the public schools.

The Legislature has another weapon that in the long run could close down New Oreans schools, even if funds are unearthed to continue their operation. The segregation legislation packet included a bill to abolish

# New Orleans Integration Crisis Eases

**By Bicknell Eubanks**

*Staff Correspondent of The Christian Science Monitor*

**New Orleans**

There are signs that the New Orleans school dispute has passed its crisis. The two elementary schools which are being desegregated report a possible trend of white pupils back to the classrooms.

The schools had been almost 100 per cent boycotted by white children, whose parents took them out rather than let them go to school with the Negroes who had been assigned to the previously all-white institutions.

There is a feeling here now that the most serious phase of the crisis is almost over, and that once the electoral college meets to formalize the presidential election, the pressure will be taken off segregationists and states' righters who have hoped to use the New Orleans conflict as a tool by which to throw the election outcome into turmoil and use it to bargain for position.

## Chances Dim

The chances of getting this done already are considered so dim that little serious regard is given the plan by most observers.

But the segregationist leaders have insisted that if the results in Illinois were reversed or even held in abeyance, it would put a strong bargaining tool in the hands of Southern states' righters. This has been their contention.

They had counted on using the unpledged electors of Mississippi, plus the few dissidents in Alabama. There had even been talk that they might be able to get the Kennedy electors in Georgia and Louisiana, despite indications that they were firmly in the column of the President-elect.

The plan apparently is getting its impetus from Leander Perez, onetime District Attorney for adjoining St. Bernard and Plaquemines Parishes. Mr. Perez is reported to be spending most of his time shuttling between New Orleans and Baton Rouge, where the Louisiana Legislature has been sitting in special session trying to counter federal judicial actions which have virtually vetoed all legislation the Pelican State lawmakers have enacted in an effort to keep segregation alive in this state.

## Support Lacking

The Legislature is controlled by representatives and senators from upstate, where segregation is an intensely bitter issue. Gov. James H. Davis, who, in winning the election several months ago promised that the state's schools would never be desegregated, is trying desperately to keep his promise. But like the legislators, he is finding himself stymied at every move.

And even as Louisiana politicians find themselves being pushed more and more into an untenable position, so are their leaders finding themselves without support from other Southern states. If they cannot get this support, they will have nothing with which to pry promises from national leaders of both major parties to help start action toward a constitutional amendment which would give the states authority to resume school segregation.

## Abolition Unlikely

The Louisiana House of Representatives has voted unanimously, meanwhile, to provide grant-in-aid funds for parents who wish to send their children to private schools.

Despite reports that the Legislature might try to do away with the public school system entirely, there are no signs that it will take such drastic action. Governor Davis earlier indicated he would oppose such a move, and he insists that public schools will be continued.

The Perez faction, meanwhile, which had hoped to get electors away from Senator Kennedy in Georgia and Louisiana, is running into such strong opposition that it appears just about ready to give up this plan.

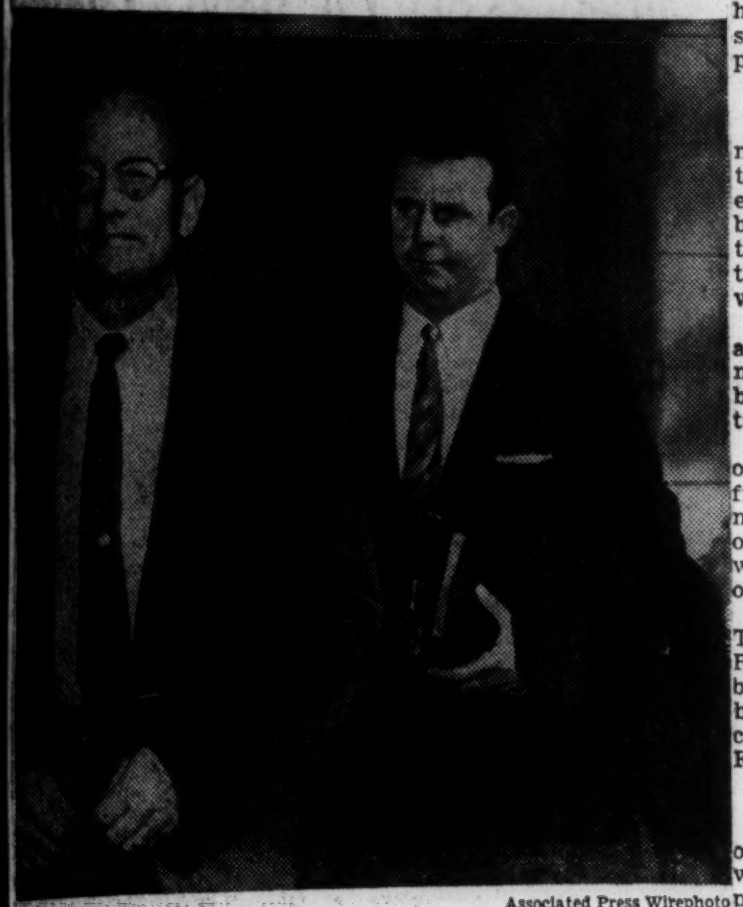
## Single Catcall

While the white boycott continued 100 per cent effective at McDonogh No. 19 elementary school, where three Negro children entered the classrooms under protection of United States Deputy Marshals, 11 white children entered the William Frantz elementary school, where a single Negro child is in a first-grade class.

As the three Negro pupils entered McDonogh, only a single catcall was heard from white mothers standing around. The crowd has dwindled considerably, to less than 50 hecklers.

The organization, "Save Our Schools," has stepped in to provide automobile transportation for getting the white children to and from the schools.

# Cleric Is Harassed in New Orleans



Associated Press Wirephoto

The Rev. Lloyd A. Foreman, right, leaves church in New Orleans, carrying his Bible and clerical robe. Down the street segregationists yelled insults at the minister.

United Press International

Mayor DeLesseps S. Morrison of New Orleans. He requested three-day moratorium on news of the city's school desegregation fight.

## PARENTS ASSIST SCHOOL OFFICIAL

The N.Y. Times

### An Anonymous New Orleans Group Is Sending Dollars to Pay Dr. Redmond

New York

NEW ORLEANS, Nov. 30 (AP)—Dollars Anonymous—a private move to honor the New Orleans schools superintendent—today flooded Dr. James F. Redmond with money in unmarked envelopes.

Donors want the mailed bills to pay the November salary withheld by an angry legislature.

Dr. Redmond has kept secret the names of four Negro first-grade girls going to two integrated schols—despite pressure to make them public.

Dr. Redmond said he was "touched" by the move. At the same time, he said he thoughta his salary would be forthcoming soon and asked that the campaign stop.

**'Appreciative of Motives'**

"I am appreciative of the motives and good wishes that this represents," he said, "However, I would prefer that it not be continued. I am convinced there are legal ways to solve the situation and these ways will prevail."

"I don't want to minimize my appreciation," he added. "But my contention is we will be back in business soon and eventually my salary will be paid."

The Legislature, which took over city teacher payments from the school board for this month, voted to pay salaries only to teachers who "complied with the Constitution and laws of Louisiana."

State Representative Risley Triche said this excluded Dr. Redmond and Samuel Rosenberg, board attorney. Mr. Rosenberg has fought the board's court battle to comply with the Federal integration order.

**Source of Donation**

The dollars came after a group of twenty parents in sympathy with Dr. Redmond began a telephone chain call campaign. The fact that the Christmas season is near was only a part of their thinking, they said.

A spokesman for the parents, who asked not to be identified, said they felt only the extremists had been portrayed in the national press.

"A large reservoir of New Orleans people are embarrassed. This is a tangible way to show they do not approve of violence and appreciate the courage Dr. Redmond has shown as a good school administrator."

Dr. Redmond's monthly salary is about $1,500.

## LOUISIANAN SEEKS PRESS RESTRAINT

The N.Y. Times

### Morrison Asks Moratorium on Coverage of Protests on School Integration

New York

Special to The New York Times.

NEW ORLEANS, Dec. 4—Mayor deLesseps S. Morrison has suggested a three-day moratorium on news coverage of this city's school desegregation controversy.

The suggestion came today in special delivery letter dated Dec. 2. He asked news media representatives to meet with him tomorrow at City Hall to discuss the proposal.

"I know this is a rather unusual request," he wrote, "but believe me, it comes from the heart of a public official who has spent most of his life trying to build the economy and the good name of New Orleans."

Mayor Morrison said that only two public schools out of 121 had been affected by desegregation and that only one-tenth of one per cent of the population had been involved in the demonstrations.

"Yet, because of the tremendous amount of news coverage, the general impression nationwide is that New Orleans is a sea of turmoil and violence," he said. "This is very bad for business, tourist trade and it is a damage that we are suffering completely without fault on our part."

**Newsmen Held Responsible**

Mr. Morrison said in a statement issued Nov. 14, when four Negro girls were admitted to two white schools, that segregationists had a right to protest as long as they did not disturb the peace.

In his letter, he argued that newsmen were responsible for the jeering, cursing demonstrators who have congregated daily at William Frantz elementary school.

He said he had discussed the situation with news representatives, whom he did not name, "and they are all convinced that if they were not on the scene each day, the demonstrators would not be there.

"In many cases, these people go to the area to get themselves on television and hurry home for the afternoon and evening telecasts to see the show."

The demonstrations have been directed chiefly against two parents who have refused to honor a white boycott of the schools.

After several days had passed at McDonogh No. 19 school without any white pupils reporting for classes, the demonstrators deserted the area. Only a handful of policemen and a few newsmen remained.

Mr. Morrison noted that the disturbances had been going on intermittently for three weeks. His letter to newsmen covering the disturbances marked the first approach made to them on the subject.

During similar controversies in Little Rock, Ark., and Front Royal, Va., in 1959, the police and city officials met with newsmen prior to the opening of school and agreed upon ground rules for coverage.

**Neutral Territory Used**

In both cities, newsmen were confinde to neutral territory away from spectators to prevent incidents.

Mayor Morrison suggested that during the news holiday the police photographers or a press pool would supply film and reports. The letter implied that the demonstrators would be allowed to remain at Frantz if they chose to do so.

During last week, these segregationists attacked a mother walking her child home from school, two reporters, a cameraman and several bystanders. The police broke up the scuffles involving the mother but no arrests were made.

Mayor Morrison said he did not mean to accuse newsmen of "doing anything wrong," but he said, "I did see with my own eyes on Wednesday, the sixteenth of Nvember, a camera crew in the Civic Center actually setting up a scene."

**Reports 'Cheering Section'**

The cameramen, he said, persuaded a group of demonstrating students to respond "like a cheering section" after setting up cameras, adjusting sound levels and giving a signal.

On the day to which the Mayor referred, high school youths and a sprinkling of adults surged through the streets after an attempt to march on the school board offices was thwarted by fire hoses.

Mayor Morrison contended taht during recent sit-in demonstrations against segregated lunch counters, "when the news media lost interest and failed to go to the location, the 'sit-ins' ended. Obviously, there was a direct connection between the amount of publicity and the amount of trouble."

The cessation of the lunch counter demonstrations followed numerous arrests made under new state anti-trespass law.

# 17 RUN BLOCKADE IN NEW ORLEANS

The N. Y. Times

## White Children Slip Through Demonstrators at School —Pickets Hurl Eggs

Newspaper

NEW ORLEANS, Dec. 5 (AP) — Seventeen white students ran a blockade at the William Frantz School here today and became targets for eggs hurled by segregationist demonstrators.

Date 12-6-60

Page 50

"Taunts of 'nigger lovers'" greeted the white children when they left school in mid-afternoon.

"You're going to get it yet," yelled one of the women demonstrators when a white mother and her children got into a car in front of the school.

Someone threw an egg at the car.

It missed, but brought a stern rebuke from the police.

### Egg Hurled Against Window

Mrs. James Gabrielle and her daughter drove away from the school and when she was a few yards from the building, someone crashed an egg against the car window.

The seventeen white children attending today were five more than the previous high white attendance at the school since it was integrated Nov. 14 by Federal court order. It was eight more than attended Friday.

One Negro girl in the first grade attends classes at Frantz.

No white child showed up at McDonogh No. 19, the other integrated school.

And an official suggestion that the pickets would give up if newsmen stopped recording their actions brought hoots of derision.

"We're going to see this thing through," said one woman who apparently voiced the sentiment of many.

### Minister a Target

Tempers still simmered. Demonstrators lobbed two eggs at the Rev. Lloyd Foreman when he drove past his home after picking up his daughter, Pamela Lynn, at the William Frantz kindergarten. One hit his car.

Three Federal judges, meanwhile, blocked the latest attempt by the Louisiana Legislature to supplant the Orleans Parish (county) School Board.

The judges issued a temporary restraining order barring the Legislature from installing [illegible] state-named board to replace the present board. The Legislature passed this measure Saturday.

M. Hepburn Many, United States attorney for eastern Louisiana, asked for the writ. Judges Richard Rives, J. Skelly Wright and Herbert Christenberry complied.

### Pickets at McDonogh

A week-end rumor that an attempt would be made to break the white boycott of McDonogh No. 19 brought out increased numbers of pickets there. The rumor proved false.

Nevertheless, New Orleans police for the first time in days ringed the building, an officer stationed every twenty feet.

Not even warm, often sunny weather, however, materially increased the hard-core crowd of pickets at William Frantz.

Although there is no way to measure it, there seemed to be less tension in general in New Orleans. School attendance is about normal except at the two immediately affected of the city's 121 schools.

Associated Press Wirephoto

**PLEADS FOR RESTRAINT: Mayor deLesseps S. Morrison, seeking a three-day moratorium on press coverage of school integration in New Orleans, at news conference.**

# CROWD OF RACISTS HECKLES MINISTER

The New York Times

New York

## New Orleans Group Hurls Insults at Foreman, Who Resists School Boycott

Mon 12-5-60

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Dec. 4—A minister who has refused to join a boycott of a desegregated school encountered two protests today at church.

The minister, the Rev. Lloyd A. Foreman, began a communion service at 9 A. M. in the Methodist Church of the Redeemer. Four women, who had stayed through the preliminaries, walked out. One made a remark to an usher and another said:

"If it hadn't been for that nigger-lover, we'd have won our fight."

Later, at St. Mark's Methodist Church, hecklers yelled threats, curses and vulgarities outside after Mr. Foreman arrived to conduct communion service. Several entered during the services but left after a few minutes without cerating any disturbances.

### Daughter Joined Negro

Mr. Foreman's 5-year-old daughter, Pamela Lynn, has continued to attend the William Frantz elementary school since a lone Negro girl was admitted on Nov. 14. The Citizens Council and other segregationists have pressed a boycott of Frantz and the city's other integrated school McDonogh No. 19.

The minister's daughter and another pupil were the only whites in classes at Frantz until the latter part of last week, when they were joined by eight others. No whites have returned to McDonogh, where three Negroes are enrolled. The two schools have a normal attendance of 1,000 pupils.

A congregation of 140 to 150 persons sat quietly in St. Mark's as the minister entered behind the red-robed choir of six persons. He was dressed in a black clerical robe with a black satin facing. An illuminated cross hung on the organ pipes behind him.

In his opening prayer, Mr. Foreman said: "The majority of us here have been buffeted by the everyday experiences that happen to us."

He then asked blessings "on the strangers in our midst."

With an implied reference to the integration dispute, he said he wanted to conduct the services in the usual fashion and asked visitors to raise their hands. A ripple of laughter stirred the congregation as some two-thirds of those present responded.

"I am grateful for your prayers," he told the congregation at one point.

In inviting all thost present to participate in communion, he ramarked:

"This is not a Methodist table. This is the Lord's table. You are invited to come no matter what your church affiliation."

### Congregation Files Out

After the service, Mr. Foreman stood at the door, apparently at ease, shaking hands with members of the congregation as they filed out.

"God bless you," said a woman.

"Is everything all right? asked another with a look of concern on her face. He similingly assured her that it was.

"We're from Chicago," one couple told him. "We wanted to visit your church." He thanked them for coming.

"Could we drive you home?" asked another woman. He thanked her but said another car was waiting.

"Good luck to you, sir," said one of the last men to leave the church.

A small group of women, including a school teacher, stood outside on the sidewalk distributing copies of a recent speech by Shelby M. Jackson, State Superintendent of Pubic Instruction. In the address, Mr. Jackson said:

"Even though it is evident that a large majority of both races want our schools to remain as they are now, we are confronted with an outright attempt by what appears to be a Communist-inspired N. A. A. C. P. to influence the Federal courts to usurp the rights of the people of Louisiana."

Across the street on the parkway stood the twelve to fifteen segregationist demonstrators. Most were men in work clothes but there were a few women. They muttered among themselves.

### Leaves Church in Car

A car with Mr. Foreman in the front seat sped past the side entrance to the church. The group gave no sign of recognition. Then they began to yell at the church in the apparent belief that the pastor was still inside.

A red-faced man dressed in a jacket, a white shirt open at the neck and khaki slacks, shouted "nigger lover," "rat," at the church members standing on the sidewalk.

Many of his companions walked away as he became increasingly vulgar. No policemen were present.

"I challenge him," screamed the man. "I'll whip him. I'm 53 years old and I'll whip him."

"I'm raising white children to live with white children, not with niggers."

His companions, some of whom had joined in the jeering, then persuaded him to leave.

United Press International Telephoto

**GROUP JEERS MINISTER:** Hecklers wait outside St. Mark's Methodist Church in New Orleans for the Rev. Lloyd A. Foreman, who has not joined boycott of integrated schools.

# CLASSES GROWING IN NEW ORLEANS

## 10 Whites Join Negro Girl at Frantz — Governor Vows More Resistance

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Dec. 2 — Ten white pupils were rushed past angry demonstrators into classes today as a boycott of one of two desegregated schools here declined in effectiveness.

There were no major incidents. But sullen, roughly dressed men swelled a menacing crowd that yelled insults outside the William Frantz elementary school.

The day brought a renewed pledge of resistance to desegregation from Gov. Jimmie H. Davis. He told a news conference in Baton Rouge, the capital, that he would call a third special legislative session if necessary.

The current session saw adoption today in the House of a bill that would provide grants for parents who wish to send their children to private, segregated schools. The measure was approved 84 to 0 and sent to the Senate.

In another development there, House Speaker J. Thomas Jewell disclosed that salaries of teachers in the two desegregated schools were being withheld. He said the educators were "under investigation."

### Funds Are Tied Up

The Legislature's anti-integration maneuvers have tied up the operating funds of the Orleans Parish (county) School Board. But the lawmakers had made special provisions for paying teachers here.

Louis G. Riecke, vice president of the board, condemned the latest action.

"I am surprised that members of the Legislature would be so vindictive as to try to punish teachers for doing what they are instructed to do," he commented.

Both Governor Davis and the legislators are under a Federal Court injunction that forbids them to interfere with desegregation.

Most of the some 1,000 white pupils enrolled in Frantz and McDonogh No. 19 schools have remained out of classes since four 6-year old Negro girls were admitted Nov. 14. The step marked the first desegregation below the college level in the Deep South.

No whites have yet returned to McDonogh, where three of the new pupils are enrolled. Two white pupils continued to attend Frantz with the other Negro girl until yesterday. Four others reported for classes then.

### Transport Offered

Their return and that of the four additional pupils today was made possible by strengthened police security measures and automobile transportation provided by Save Our Schools. The latter is a local group formed last April to fight for continued public education despite desegregation.

The president of S. O. S., Mrs. N. H. Sand, said the organization hda other volunteers willing to drive children to Frantz or McDonogh.

"We aren't afraid and we will find rides for any mother who needs them," she asserted.

Mrs. Orlando Gabrielle, mother of one of the two white children who had continued to attend Frantz, was attacked by the demonstrators Tuesday and Wednesday while returning her 6-year old daughter from school.

The other parent who refused to withdraw his child, the Rev. Lloyd Foreman, had been less vulnerable because he arrived and departed in a car.

### Marshals Escort Girl

The S. O. S. members drove Mrs. Gabrielle, her daughter and six other children to the school today and carried them home. Mr. Foreman brought his daughter and two boys. The Negro girl was transported as usual by the three deputy Federal marshals.

The police cleared demonstrators from sidewalks near the entrances for the second day.

The make-up of the crowd changed sharply this morning. Many more men joined a hard-core group of fifty women who had stood by to hurl insults at Mr. Foreman and Mrs. Gabrielle throughout the week.

Their appearance followed an expression of concern yesterday by a Citizens Council leader that the boycott might be broken. They resorted threats and curses but made no attempt to break through the police lines.

Two women urged the others in the crowd to "wear one black sock and one white sock and stamp your feet," apparently in symbolic protest against desegregation.

One carried a sign that said: "God Demands Segregation." Another placard read: "Integration Is a Mortal Sin."

---

Special to The New York Times.

BATON ROUGE, La., Dec. 2 — The Louisiana Legislature pushed toward final enactment today a law that would provide state grants-in-aid to permit students to attend private schools. Meanwhile, in his first news conference in many weeks, Governor Davis refused to rule out the possibility that the present 2-cent state sales tax might be increased to finance the private-school plan.

He also declined to say finally that a move had been killed to withhold the state's ten electoral votes from President-elect John F. Kennedy.

Associated Press Wirephoto

**BACK TO SCHOOL: Two pupils of the William Frantz School in New Orleans being taken there by their mothers yesterday, as boycott of newly integrated school eased.**

14d(1) 1960

NOV. 1960

LOUISIANA

NEW ORLEANS

# Whites Boycott Classes

(11-26)(12-2)-60

By JOHN G. WARNER

NEW ORLEANS — (UPI) — Police arrested at least 17 persons, including a deputy sheriff, Tuesday for trying to rush around barricades protecting one of the two formerly all-white schools that four Negro girls are attending.

The girls, all 6 and with white ribbons in their hair, went safely to their second day of classes Tuesday under a heavy protective guard of U. S. deputy marshals and New Orleans police. Three are attending McDonogh No. 19 school and one William Frantz elementary school.

The deputy sheriff arrested is Anthony Calabresi of St. Bernard parish. Police booked him on a charge of reviling police. They later paroled him to Leander Perez, assistant district attorney, one of Louisiana's most ardent segregationists.

White pupils almost deserted both McDonogh and Frantz schools. There were 20 pupils at McDonogh, where normal attendance is 467. There were 45, at Frantz where normal attendance is 576.

Police made the arrests in front of McDonogh. One of those arrested was carrying scissors. It was the nearest thing to violence since integration started. Most of the crowd at McDonogh was teen-aged.

"They (the crowd) provoked the arrests," New Orleans police chief Joseph Giarrusso said. "We gave them their chance as long as they didn't get out of hand."

The teen-agers walked out of their high school classes.

Police broke up the gang of more than 100 teen-agers and some adults before it got near Frantz school.

The demonstrators then went to McDonogh, where police had erected barriers. The demonstrators ran around the barriers.

More than 100 patrolmen and five mounted policemen stood fast and then drove the mback for two blocks.

**3 IN ROOM**

The Negro girl at Frantz, who arrived with federal marshals, was reported in a classroom with one white girl, the teacher and the Negro girl's mother. All classes, by school board order, are segregated by sex when they are racially integrated.

Thirteen of the persons arrested were adults. Three were juveniles. One was a teen-aged girl.

They were booked on charges ranging from vagrancy and disturbing the peace to being loud and boisterous and reviling policemen. One 39-year-old man was booked on a charge of carrying a concealed weapon, the scissors.

Gov. Jimmie Davis, who failed to make good on his promise to go to jail rather than let a Louisiana school integrate, made his statement since integration.

The Defender Chicago, Ill. (11-26)(12-2)-60

MOTHERS GATHER across the street from McDonogh elementary school in New Orleans as three Negro first grade students enter school for their fourth day of classes. No white students attended classes at McDonogh. A policeman, night stick in hand, stands guard. UPI Telephoto

P. 3 Chicago Defender Chicago, Ill. Nov. 26-Dec. 2, 1960

UNDER WATCHFUL EYE of a New Orleans policeman, deputy U. S. marshals escort Negro mother (arrow) and her daughter (hidden) into the McDonough elementary school. Three Negro children entered previously all-white school. To find what happened see picture at right. (UPI) Telephoto)

# Unruly Teens Harass

The Montgomery Advertiser p. 1

# Police In New Orleans

## 11 Arrested

Montgomery Ala.

## On 2nd Day

## Of Mixing

Wed 11-16-60

NEW ORLEANS, La. (AP) —Temperamental teen-agers —running in packs of 100-and 200—broke the peaceful mixing of the races in New Orleans public schools Tuesday.

Forays by youngsters of both sexes melted away from the nervous feet of police horses in an abortive attempt to break police lines around McDonogh No. 19 school.

Police arrested at least 11 persons, including a blonde girl who bit the hand of an arresting officer, and a deputy sheriff from neighboring St. Bernard Parish.

The teen-agers put into action the better-controlled anger of parents who shouted derisively as four 6-year-old Negro girls entered two white schools for their second day of integrated education.

**TOY PISTOL**

At William Frantz School, the other building integrated, police arrested a man for carrying a concealed weapon. The weapon turned out to be a toy pistol.

The one Negro first grader at Frantz left with her mother and three federal marshals at 2:29 p.m., while the three at McDonogh left school at 2:36 p.m., about a half-hour ahead of closing time. Taunts and jeers greeted the departures at both schools.

At Frantz, a 16-year-old white [illegible] was arrested for throwing an [illegible] He missed his target if he [illegible].

Police massed 125 patrolmen and mounted officers around McDonogh and, after the first attempt to crack their lines, sealed off an area two blocks around the three-story gray building. They ranged for blocks around the neighborhood.

Thirty minutes later, roving police broke up a marching group of 200 placard and flag-carrying white teen-agers 10 blocks from the school, turning the procession toward downtown New Orleans.

**MEANT BUSINESS**

The police meant business. Police Maj. Adolph Mayerhaffer said "We'll be here as long as is necessary."

His superior, Police Supt. Joseph Giarrusso, emphasized the police mission was soley to maintain order.

Integration was a two-day-old fact in New Orleans but education just about took a holiday. Nearly all schools reported light attendance and the two integrated schools had a joint total of about a dozen white students.

Three of the four Negro pupils entered McDonogh.

11-7-H

A police sergeant described the integrated first-grade classroom thus: The three Negro girls huddled in one corner of the room with books given them by the teacher. A white boy and a white girl sat in an opposite corner.

The teacher asked the Negroes questions, apparently to determine how far advanced their education was.

Montgomery Ala.

At William Frantz, the one Negro girl integrated into the school's first grade sat by the side of one white girl, by the account of a mother, Mrs. Owen McManus, who entered the school to get her daughter's books.

With the two were a Negro woman and a white woman, apparently the mothers of the two girls.

There was no teacher.

Indications were, Mrs. McManus said, that no classes were being held in Frantz at all. Her sixth-grade daughter, Deborah, said only two of 31 regular white pupils were in the building.

A Franciscan friar arrived at the school and Mrs. McManus said he came to comfort the school principal, Estelle Barkemeyer, who appeared upset.

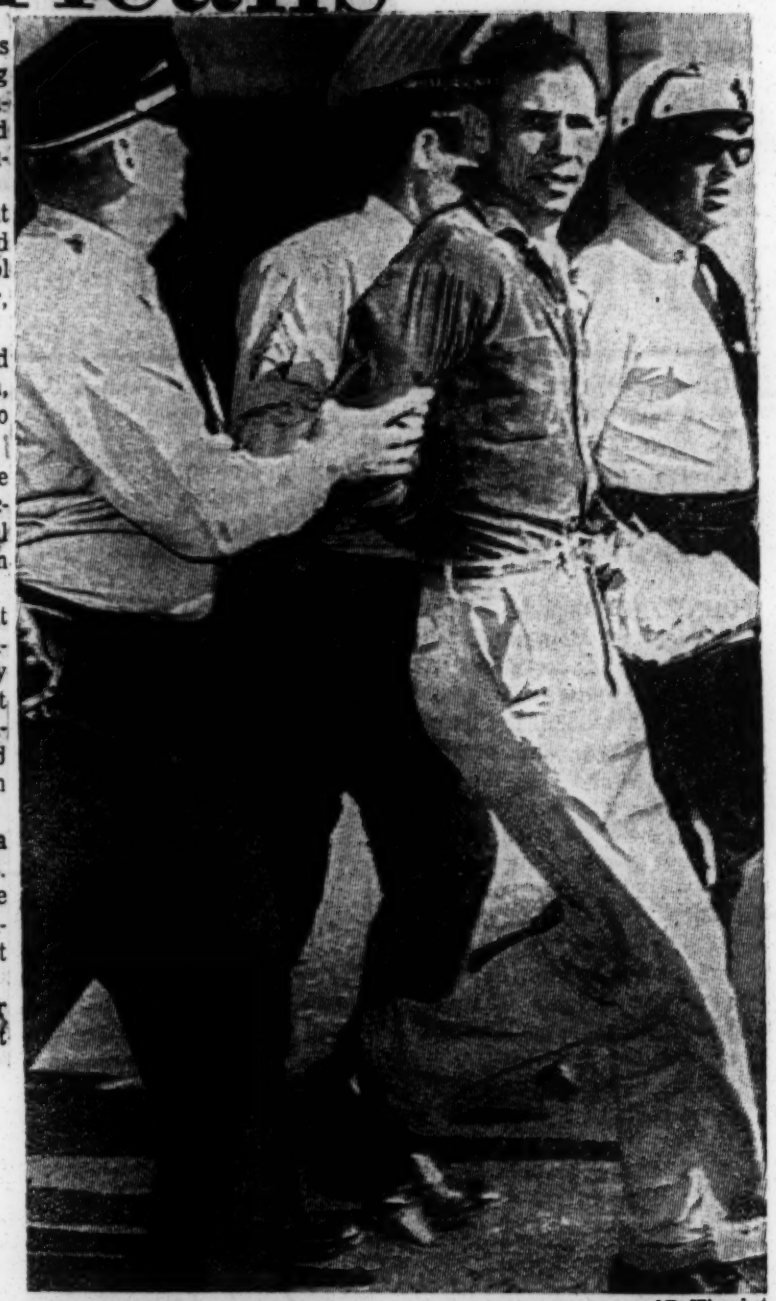
John Stewart, 30, in his second year as principal of McDonogh, appeared to some eyewitnesses to be fully as distraught.

Estimates—unofficial in nature—placed attendance at 10 at McDonogh and 13 at Frantz. Normal enrollment is slightly more than 1,000 for the two schools.

The situation was quieter at Frantz, where its residential location enabled police to effectively seal off a one block area without disrupting normal traffic. But, inside the school, teachers gathered in seclusion in the kindergarten room.

Police investigated reports of a bomb planted at the home of U.S. Dist. Judge J. Skelly Wright, the jurist who signed the original integration order last May. It seemed to be false.

All packages going into either Frantz or McDonogh underwent bomb squad inspection.



AP Wirephot

**DISORDER AT NEWLY INTEGRATED SCHOOL**
Man In Unruly Crowd Arrested For Heckling Negroes

# NEW ORLEANS SCHOOLS INTEGRATED

## Court Orders Block State

NEW ORLEANS, Nov. 14 (UPI)—Four 6-year old Negro girls, escorted by U. S. deputy marshals and protected by 140 city police, went to formerly all-white public schools in New Orleans for the first time today.

No violence was reported. Crowds of more than 500 white persons, many teen-aged, gathered around the schools to jeer when the Negroes appeared, but made no move against them.

One 19-year-old Negro was arrested in New Orleans for disturbing the peace by cursing. A friend said he yelled back at white teen-agers driving around a school and yelling at passers-by.

**Enter Schools**

The girls entered the schools half an hour late and left half an hour early. A wall of city police faced a jeering crowd as three girls left McDonogh 19 School, where they attended a class with a few white girls.

Thus the first day of integration of Louisiana public schools passed without undue difficulty although:

—Jimmie H. Davis, Louisiana's governor, hillbilly singer and cowboy movie actor, swore he would go to jail rather than allow integration.

—About 75 state policemen came to New Orleans under orders of the State Legislature, which is almost solidly against integration.

—Hundreds of white persons gathered in front of the two integrated schools, waving Confederate flags, jeering and chanting "two, four, six, eight—we don't wanna integrate."

—The Legislature had ordered a statewide school holiday.

**Didn't Go**

Davis didn't go to jail, although he could have, had he made any move to stop integration. He is under three different Federal orders not to meddle with the schools.

As many as 140 New Orleans city police ringed McDonogh 19 when three Negro girls went in, and William Frantz School, which one girl integrated. A total of five was scheduled to integrate the schools but parents of the fifth kept her at home.

More than 150 white parents went into the two schools and took their children out.

A white first grade pupil said the three Negro girls at McDonogh sat to one side with one white girl during lunch.

Another pupil who was in the room with the Negroes before her mother took her out said the Negro girls "hadn't opened their mouth once."

**Leaves Building**

The one girl who attended Frantz School left the building, when she was dismissed for the day, with her mother and five U. S. deputy marshals.

A crowd not nearly the size of the crowd at McDonogh yelled: "There she is," and "keep them out of our schools," when she appeared.

The girl, looking scared, was led by her mother to a Federal marshal's car and drove off, followed by another marshal's car.

The some basic procedure was followed at McDonogh, where police had a yelling crowd roped off on a divided boulevard. As Federal marshals went into the school for the three Negroes, about 60 city police formed a solid wall in front of the three-story school, and marched in step across the street until they were standing nearly chest-to-chest with the crowd.

## *Veil of Silence in Mixed School*

### Newsman Takes Inside Look at Frantz

By DAVID ZINMAN
(The Associated Press)

Inside integrated William Frantz school, past the crowds and the wall of catcalls, there is a veil of silence.

Four white children sat Tuesday with their parents on a wooden bench alongside a wall in the spacious basement hall.

It was the first inside look at the school by a newsmen since it was integrated Nov. 14.

A lonely policeman paced up and down twirling his night stick, waiting for the school bell to ring. A cold morning sun slanted throuh the windows into empty classrooms.

"They have a right to believe the way they do—that crowd out there," a dark-haired mother in her 40's said. "But I have a right to my beliefs, too. And they have no right to stop me."

**WOMEN TRY TO BLOCK**

The parents stood together and talked. The children wiggled off the bench and began playing together. When a child shouted, his voice seemed to echo in the barren basement hall.

The one Negro first grade girl had not yet arrived. She usually shows up after school starts—escorted by United States deputy marshals.

"I can't help but think the people out there don't represent this city," the Rev. Lloyd Foreman said. He had dark hair, brown eyes, even features.

The 34-year-old Methodist minister—born in Crowley, La.—had walked the block and a half from his house to school with his 5-year-old daughter Pamela. Some dozen women tried to block his path, one latching onto his coat jacket and screaming: "don't send her to that . . . school."

"Take your hands off me," he said as the yelling women closed around him. Policemen rushed over to clear a path.

**JOB THREAT**

"We're not alone in our feelings about the situation," he said to the other parents, "but fear has kept so many people away. The voices that need to be heard have been silent—and they need to be heard now."

A few teachers started coming into the basement hall, talking together. They disappeared for a moment into a classroom with brightly colored pictures on the wall, a clean blackboard and row on row of empty seats.

"I think the crowd of women come there because they're bored, because they have nothing else to do," one mother said. "They've called my house. They've threatened to see that my husband loses his job.

"Well, he told me, if I have to lose my job because of this, then it wasn't worth having in the first place."

**TEACHER TAKES HANDS**

The bell sounded, and the teachers appeared. One gray-haired teacher came over to the Rev. Foreman's daughter and took her hand. Foreman quietly said goodbye to his daughter.

Pamela and the teacher were alone together in the classroom Monday—the start of the second week when only two white children showed up. But at the starting of school Tuesday, Pamela had one classmate, a little boy.

The boy took the other hand of the teacher and she led the two children away, past the policemen twirling his nightstick, past the empty classrooms, until they came to the empty kindergarten room.

Foremen talked with the other parents a few more minutes and then they broke up. He walked toward the door, kind of braced his shoulders and stepped out into the cold autumn air.

Some people in the crowd spotted him as soon as he took his first step. They yelled at him.

# Parents Harassed At New Orleans

The Atlanta Constitution
Atlanta, Ga.
Mon. 12-12-60

NEW ORLEANS (AP)—Eight white children and one Negro girl went to school at integrated William Frantz Friday—the number shrunk by pressures of segregation boycotters.

They went to school by the sides of U.S. deputy marshals, a fresh move by the federal government amid rumors of harassment for blockade-running parents.

Two more fathers, said Mary Sand, have been threatened with loss of their jobs if they persist in defying the general opinion of the neighborhood and send their children to school under token integration.

**ASKING OPEN SCHOOLS**

Mrs. Sand is president of Save Our Schools—a group dedicated to keeping the schools open.

Such pressure this week steadily cut the number of white children at William Frantz.

The score ran like this: Eighteen on Monday; 23 on Tuesday; 20 on Wednesday and 14 Thursday.

**PRESSURE GROWING**

For all the growing, silent pressure, William Frantz and the city's other integrated school, McDonogh No. 19, presented a nearly normal picture otherwise. There were no boos, no scurrying pickets, no shoving, no shouts.

The mercury hit 44 degrees at 8 a.m. a brutal low by New Orleans standards. Five women huddled silently in a yard near William Frantz; about half a dozen equally quiet women showed up at McDonogh No. 19.

It began at the lowest key of any day since integration came to New Orleans schools Nov. 14.

**RESISTANCE REMAINS**

This did not mean resistance to federal court orders for token integration had slackened, only that pickets turned from vituperation and demonstrations as a way of keeping the boycott.

Pickets at McDonogh No. 19 where the boycott was held 100 per cent firm since the first week, say they keep it that way by visits and persuasion. Pickets at William Frantz may have adopted the same tactics.

Mrs. Sand implied it was something more than calm persuasion. Marion McKinley, a student at the Baptist Seminary in New Orleans, kept his children from William Frantz. He said adults pitched rocks against his house for a second time Thursday night.

**HARASSMENT SPREADING**

And, Mrs. Sand said what she called harassment spread to SOS volunteers who have been driving white children through the blockade.

# Police Arrest 9 In New Orleans

The Montgomery Advertiser
Montgomery, Ala.
Mon. 12-12-60

NEW ORLEANS (AP) — Police arrested nine persons—six of them university students—Saturday for distributing pamphlets on busy Canal street urging a boycott of two chain variety stores.

Six of them were white, the others Negro. All said they were members of the Congress of Racial Equality.

Four of the whites are Tulane University students, a fifth attends Sophie Newcomb College, an exclusive women's school connected with Tulane. One of the Negroes is a student at Dillard University, a Negro institution.

The nine were held in jail in lieu of $50 bonds. They were charged with violation of two city ordinances dealing with the distribution of handbills on public sidewalks.

# 4TH MIXED WEEK BEGINS

The Montgomery Advertiser
Montgomery, Ala.
Mon. 12-12-60

# New Orleans Groups Push To End Boycott

NEW ORLEANS, La. (AP)—The fourth week of integration in public school classrooms begins here Monday, with some parents and legislators still opposed to Negroes attending the previously all-white schools.

The weekend saw stepped-up activity by groups seeking to break a virtual boycott of white students at the two elementary schools—William Frantz and McDonogh No. 19.

Federal and local officials reportedly discussed ways of getting more students back into Frantz. Federal marshals escorted the eight white children who went to school Friday along with a lone Negro girl.

There seemed little chance that white children would go back with three Negroes to McDonogh, which has been boycotted completely for the last two weeks. Groups of mothers who withdrew their children in protest over desegregation worked quietly persuading others to aid them in keeping the school "for Negroes only."

**IN CONTRAST**

In contrast, women in the Frantz area came close to rioting when whites entered the school. The homes of parents who put their children in school with the Negro were stoned. Police kept the demonstrators away from the school and allowed only newsmen near the building.

Many of the white children are now going to school in nearby St. Bernard Parish.

Meanwhile, the Louisiana Legislature, still trying to find a way to overturn the federal court's integration order, began its sixth week of special session Sunday night at Baton Rouge.

There was speculation that Gov. Jimmie H. Davis would call another extraordinary session.

Legislative leaders made it clear they had some new ideas about fighting integration. But secrecy continued to veil the leaders' plans and most of the 140 lawmakers had little hope of learning what move they would next be asked to consider.

The current special session ends Thursday. Davis must give five day's notice if he plans to call another meeting. He has previously said he would call another one if needed, regardless of what action the federal courts might take to restrain the legislature and state officials.

He, most state officials and the entire legislature have been enjoined by the federal courts not to interfere with the operation of the integrated schools.

# WOMEN ABUSE, HIT MOTHER OF PUPIL, 6

## Frantz School Pickets Try to Block Minister

Angry women attacked a white mother as she picked up her child from Frantz Elementary school Tuesday.

**A white man visiting here from Chicago, was arrested when he nearly touched off a hassle at the same school.**

**And impassioned parents, protesting school integration, picketed the Frantz school and tried to prevent a white minister from escorting his small daughter to kindergarten.**

The crowd of segregationists also shouted abuse at a Catholic priest.

There was action in the courts, too. In civil district court Judge Alexander E. Rainold took under advisement a suit by Emile A. Wagner Jr., segregationist member of the Orleans parish school board, to require the school superintendent to furnish the names of all pupils at the Frantz and McDonogh No. 19 elementary schools. These are the city's desegregated schools.

**WOMAN HIT FROM BEHIND**

And in federal court, Judge J. Skelly Wright continued without date a hearing on a contempt citation against state education Supt. Shelby M. Jackson. He was cited for declaring a statewide school holiday Nov. 14, the date for the integration of first grade classes in New Orleans' public schools.

**Judge Alexander E. Rainold takes under advisement the civil district court suit of Emile A. Wagner Jr. who seeks names of all students enrolled at desegregated schools. Sec. 1, Page 15.**

**Reporter tells of scene inside the William Frantz Elementary school. Sec. 1, Page 6.**

Mrs. James Gabrielle was set upon by about 15 or 20 women as she walked away from Frantz school with her six-year-old daughter, Yolanda.

**As she tried to push through this knot of cursing women, someone struck her from behind. Mrs. Gabrielle started swinging her purse and struck one of the hecklers on the head.**

Her husband then came to the rescue and police broke up the crowd.

Moments later at the same intersection at S. Miro and Alvar, another crowd started ganging up on a man apparently making unpopular statements.

**CHICAGOAN IS BOOKED**

Police ordered him to move on, but he didn't comply fast enough and he was arrested. Daniel Burkholder, 28, of Chicago and a guest in a hotel, was booked in the Fifth District with loitering.

**Before departing the school area Mrs. Gabrielle said she planned to continue bringing her child to school. "I want my child to get a good education," she said.**

Police pressure pierced the picket line set up by about 50 hopping-mad adults, mostly women, intent on boycotting the school, and a path was cleared for the Rev. L. A. Foreman and Pamela Lynn.

**M'DONOGH 19 BOYCOTT**

Pamela Lynn Foreman was one of four white children to attend the school along with one Negro first grader.

**At McDonogh No. 19 school, the city's other school desegregated by federal court order, the boycott was complete. Only three Negro six-year-old girls were in classrooms which had an enrollment of 467 white pupils before desegregation. Frantz school enrollment before desegregation was 573 white pupils.**

Except for those two schools attendance in the city's public schools Tuesday returned to normal for the first time since Nov. 14, when the school system was desegregated with the transfer of the four Negro children to the two previously all-white schools.

In addition to the harassment of the Rev. Mr. Foreman of St. Mark's Methodist church, a group of 10 determined women visited the home of a white mother who was just as determined to send her child to Frantz school.

**PLAN 'TO GET JOB DONE'**

The group declined to discuss their talk with the mother. One member of the group said: "All of us mothers are going to have to stick together; we're going to get the job done."

As shouting women blocked the minister's way to the school, at 3811 N. Galvez, one of them shoved the minister.

"Take your hands off me. Talk to me, but don't touch me," he said calmly but firmly.

He held his arm firmly around his daughter's shoulder as they walked toward the blockade.

Shouts of "Don't let him pass" resounded. Some screamed insults.

**MINISTER GIVES POSITION**

The Rev. Mr. Foreman's child has not missed school because of integration this school year.

**With police assistance, they entered the school. Fifteen minutes later, the minister emerged. He told reporters:**

**"I simply want the privilege of taking my child to school. If others don't want to send their children, that is their privilege."**

A Catholic priest, the Rev. Jerome Drolet, served as decoy for the Rev. Mr. Foreman as the minister took his child home from school at noon.

As the priest walked to the school from the minister's near- to the downtown side of the school building.

building.

**PRIEST CARRIES BIBLE**

The minister, meanwhile, drove to the uptown side and went into the school to get his daughter.

The protesting crowd realized the ruse just as the minister drove off with his daughter and rushed after the car booing and shouting.

Father Drolet walked through the crowd, holding a Bible.

"Communist," screamed the women.

Earlier in the day, when the Rev. Mr. Foreman spoke with reporters, he said that other white parents are ready and willing to return their children to the Frantz school but were afraid to do so.

**CHILDREN TO ST. BERNARD**

The day was a relatively quiet one at McDonogh No. 19 school, 5919 St. Claude, where three Negro girls were escorted to classes by deputy U. S. marshals who also picked them up after school.

Parents of white children at the two schools again gathered at the schools to load their children on two chartered buses which transported them to segregated public schools in St. Bernard parish.

**A spokesman for these parents said that use of chartered buses will end Friday. Then, next week, the children will use two buses loaned to them by Veterans of Foreign Wars Cadet Corps of Post 3267.**

The spokesman said that $9000 had been collected for operation of a private school for children in the first, second and third grades who cannot be cared for in St. Bernard schools.

**ATTENDANCE FIGURES**

The Orleans parish school board released the following attendance figures in the white public schools of the city:

Senior High schools—435 absent out of a total of 5787 pupils; senior-junior highs—296 absent out of 2228 registered; junior highs—736 absent out of 7820 total, and elementary schools, 2641 absent out of 20,891.

A federal court decision, meanwhile, is awaited on other school matters.

A three-judge tribunal is deciding whether the Orleans parish school board shall continue to operate a desegregated school system or whether the Legislature will be permitted to run them on a segregated basis.

Integration of Catholic parochial schools is in the offing, but no date for their desegregation has been set.

## Jackson Contempt Action Postponed

The contempt action against Shelby M. Jackson, state superintendent of education, set for hearing Wednesday in federal court, has been postponed indefinitely.

Judge J. Skelly Whight, who was to hear the case, ordered the continuance but gave no reasons. Jackson was ordered to show cause why he shoulld not be held in contempt of a federal restraining order prohibiting interference with the desegregation of New Orleans public schools after he called a statewide school holiday for Nov. 14, the day set for desegregation. Jackson's attorney, Harry V. Booth, has filed a motion to dismiss.

## Minister Confronts Hecklers at Frantz School

—Photo by The Times-Picayune

**TALKING TO A GROUP of women hecklers as he escorted his 5-year-old daughter to the William Franz Elementary school Tuesday is the Rev. Lloyd A. Foreman (left), pastor of St. Mark's Methodist church. Police had to clear a path through the group of women so the minister and his daughter could pass.**

# Interposition, 17 Louisiana Segregation Laws Ruled Out By Three Judge U. S. Court

## Not Heeding Supreme Court Decisions Unconstitutional

Atlanta Daily World

By JOHN G. WARNER
(United Press International)

NEW ORLEANS (UPI)—A Federal court knocked the props from under the state's segregation fight Wednesday.

A three - judge Federal Court struck away one of the last legal hopes of segregationists shortly after two elementary schools opened on an integrated basis for the eighth day.

It ruled unconstitutional the theory of interposition — which means a state need not necessarily obey the Supreme Court and threw out 17 state segregation laws and five resolutions. It also denied a school board motion to end integration and enjoined practically every official in Louisiana from interfering with integration.

Word of the ruling only served to further infuriate "the cheerleaders," as police call the nucleus of about 40 women who are trying to enforce a white student boycott at the two elementary schools.

They succeeded at McDonogh 19, where three Negro girls are attending first grade classes alone. But at William Frantz school, two little white girls continued to attend Wednesday with one Negro girl.

The women have turned their wrath from the Negro girls to the white girls and their parents, the Rev. And Mrs Foreman and Mrs. James Gabrielle

A METHODIST MINISTER

They jeered the Rev. Foreman, a Methodist minister, when he walked 5-year-old Pamela Lynn to her kindergarten class Wednesday and frustrated by police from there, the crowd surged to the minister's home and chanted obscenities and insults from a neighbor's lawn.

Mrs. Gabrielle, wife of a city water department meter reader, brought 6-year old Yolanda to her first grade class two hours late with a police escort. The police drove her to the school and let her and her daughter out.

She started home on foot after taking Yolanda into the school, and the "cheerleaders' gave chase. She did not run, however, and police headed the women off before they could get to her.

Tuesday they jostled the Rev. Foreman and struck Mrs. Gabrielle when the two parents tried to get past them

One of the "cheerleaders' complained that she saw a television news announcer refer to them as a peaceful demonstration.

"Peaceful?" snorted Mrs. Phillip Rutz. "What do we have to do, kill somebody to get him to call us violent?"

LEGISLATORS NOT SURPRISED

The court ruling came as no surprise to state legislators, who meet again in special session Wednesday night. They indicated they would ignore the rulings. Attorney General Jack Gremillion said he would appeal, and Gov. Jimmie Davis, leader of the fight against integration, had no comment.

The three- judge panel, which including District Judge J. Skelly Wright, the man who ordered integration, said that it "is clear that interposition is not a constitutional doctrine. Taken seriously, it is illegal defiance of constitutional authority."

Otherwise, said the opinion in a sarcastic reference to the fuming Louisiana legislature, "it amounts to no more than a protest, an escape vale through which the legislatures blow off steam to relieve their tensions."

ORDERED OFF LAWN

The "Cheerleaders" who followed Rev. Foreman to his house took up their stand on his lawn, but police ordered them off his property and off the sidewalks. A next - door neighbor invited them to use his lawn from which to insult the minister.

The women also besieged Mrs. Gabrielle's house, yelling similar comments.

They gathered on a lawn across the street from the school to yell at police after they were thwarted from reaching Mrs. Gabrielle. When they became obscene, the woman who owned the lawn ordered them to move. They moved over to the next lawn and began cursing the woman who made them move

One woman held her small child up to a television microphone and said "Here, tell the man whether you want to go to school with niggers."

The child burst into tears.

## The Moral Issue

(From The New York Times)

The lull in the New Orleans school crisis caused by the Thanksgiving holidays has not solved and cannot solve the titantic struggle now going on in Louisiana between state and Federal Governments over fundamental legal and moral issues. The legal issue concerns the question of state sovereignty vs. Federal supremacy; the moral issue concerns the right to impose segregation according to color in any educational system.

There can be no doubt how the struggle will end. The legal question will ultimately be resolved in favor of the Federal Government — if not today, then tomorrow; and the moral question will be resolved in favor of the human and civil rights for which American democracy stands. While the first of these questions will be determined in courts of law, the second will have to be settled eventually in the hearts of men. And this is where moral leadership on the part of the President of the United States could be exceedingly effective, if it were exercised.

It has not been exercised thus far. It was not exercised in the Little Rock crisis of 1957; it has up to now not been exercised in the New Orleans crisis of 1960. The President has carried out his sworn duty to enforce the law; but he has not brought to the segregation issue that sense of moral indignation that would carry the weight of his words and actions beyond the letter of the law. And neither, in the last few days, has the President-elect.

We believe it is time for both President and President-elect to give voice to the conscience of America in its revulsion against the mobster tactics practiced in New Orleans and the insurrectionary histrionics at Baton Rouge. Mr. Kennedy has been specifically asked to state his views by a group of Louisiana legislators. He gave the patently absurd reply that he could not comment on issues now before the courts. Does Senator Kennedy seriously believe that there will be any time during his Administration when this issue will not be before the courts?

Early in the campaign Senator Kennedy said, speaking of civil rights: "This is a difficult fight. It's not easy. All I'm saying is that we are committing ourselves." We would like to see him — as we would like to see President Eisenhower — commit himself now on this issue in a statement recognizing the moral as well as the legal questions involved.

# Little Girl Calm Before Jeers

BY JOHN L. GOLLSEAH

NEW ORLEANS—The four little six-year-old girls whose entry into two previously all-white schools here last week focused the world's spotlight on this city, are living normal lives and are not affected in the least by the huge crowds which jeer as they enter or leave classes.

This is the impression of the children's parents or guardians as expressed during a press and television interview last week.

• **"My little girl took it wonderfully," one mother said. "She is thrilled at being in a new school and says the teacher and other pupils are nice to her."**

This reaction was that of one little girl who was assigned to the William T. Frantz School. The other are assigned to McDonogh 19 School. Both schools, however, have been almost empty since the four girls were admitted, white parents having kept their children home in protest.

■

**MOTHERS O.** the other three children said none of them was affected in the least and talked only about their lessons and how much they liked the new school.

All four parents said they had refrained from asking their children questions regarding any special attention shown them or about any incidents, but rather waited for the child to talk voluntarily.

• **"In my home, the children are taught that all persons are equal so our little girl just thought it natural for her to be in the class with other pupils even though they were white," another mother declared.**

"The nearest my child came to saying anything about any incident was when she remarked that four of the children had left the class and the teacher did not know they were gone," another mother said.

Asked why they had sought to have their children transferred to the white schools, the parents all said because their children were closer to those schools and were a long distance from the other schools.

■

**THEY EMPHASIZED** the fact that they had sought the transfers of their own volition and had not been encouraged by any individual or organization to do so.

One reporter asked the parents if they intended to keep their children in the two schools despite the citywide protest and demonstrations by white persons.

• **"We are determined for our children to stay in those schools," the spokesman for the group said. "They are contented and are getting very good instruction. We were not frightened at first and we still are not frightened. We are American citizens, we believe we have a good government which will protect us."**

Asked what the children thought of being escorted to school by deputy U. S. marshals, one mother said," She just regards it as someone taking her to school. We do not question her about such things, and when she returns home in the evening, her first though is to look for her dog."

■

**THE OTHER** parents' answers were similar. They said their children were in good spirits when they returned home and went eagerly to their homework assignments.

One mother did say that her child was a bit frightened on the first day by the yelling, jeering and assortment of noises outside the school and began to cry. In a few minutes, however, she was her usual jolly self, the mother remarked.

Fathers of the children include two postal employes, one welder and one service station attendant. The latter has lost his job since his child entered the white school but he said he could not say that this was the reason. But over NBC-TV the service station owner said this was the reason. A white man has been hired in his place.

The interview was arranged by Atty. A. P. Tureaud, counsel for the parents. Representatives of The Courier, Louisiana Weekly, Associated Negro Press, Associated Press, United Press, English, Australian and local newspapers, and also television network reporters attended.

# White Mobs Slash, Beat N. O. Negroes

NEW ORLEANS—The first Negro victim of race-hating mobs of whites roaming the streets of New Orleans protesting school integration was Donald Campbell, 19, who was cut across his chest.

Campbell, 19, a porter who was returning to work from lunch, was slashed across the chest by one in a mob of some 40 white youths.

Theodore J. Lagarde, 26, was returning from an errand for his employer when a score of white youths beat, stomped and kicked him. He managed to run to the Dryades and Lafayette area where Negroes rushed from their homes with an assortment of weapons and dispersed the mob.

Treated at Flint-Goodridge Hospital, Lagarde was found to be suffering with fractures of eight ribs, multiple lacerations of the head, mouth, body and legs.

■

**JULES PAYNE, 37,** was beaten shortly after he parked his automobile at Girod and Loyola just in the Civic Center area.

The riotous youths then raced through City Hall seeking the Mayor. Police were obliged to use motorcycles, horses and fire hoses to drive them back. Several were arrested before the crowd dispersed into a number of roaming mobs.

Others injured including Miss Jeanne Flot, 23, who was cut by flying glass when white youths shattered a bus window; Mrs. Josephine Stepheson, 29, who was knocked unconscious when a chunk of ice was thown into a bus of more than a dozen Negro and white persons.

■

**POLICE HAD** arrested more than 100 persons for loitering and a score for carrying dangerous weapons including a machette, a butcher knife, icepicks, switchblade knives, revolvers, tape-wrapped chains, and even "Molotov cocktails," bottles filled with gasoline.

Early Thursday morning a disturbance between Negro and white longshoremen was quelled by police before it reached the fighting stage. Otherwise, the city had apparently returned to normal.

Two crosses were reported burned in various sections of the city. Mayor Morrison made a television appeal for law and order.

14a(1) 1960

# La. Legislature Gets Bills To Delay Integration

Charleston S.C.

Sat. 11-5-60

BATON ROUGE, La. (AP) — Gov. Jimmie H. Davis moved Friday to have the legislature take over New Orleans schools and give himself new power to close all state schools in case of violence.

The administration dropped 28 proposals into the legislature's lap as a special 12-day session opened. Scores of women from two dozen organizations demonstrated in the Capitol asking lawmakers to keep the schools open.

Davis called the session although under a federal injunction to keep hands off New Orleans schools. He failed earlier in an attempt to seize the schools.

Federal Judge J. Skelly Wright has ordered desegregation of New Orleans schools at the first-grade level Nov. 14, and the local school board plans to put five Negro children into two previously all-white schools on that date.

The school seizure move, coupled with a legislative interposition plan, apparently means Davis may be risking going to jail.

The administration and segregation leaders kept secret their exact proposals during weeks of preparation, apparently to guard against any countermove by Negroes seeking integration or by the federal courts.

Rep. John Garrett, chairman of the joint legislative committee on segregation, said a proposal for a state militia was withdrawn for further study.

Garrett and other legislative leaders called the move against the federal government interposition, or placing the sovereignty of the state between the people and the federal government.

Rep. Risley Triche, a Davis floor leader, said one bill would make it "a crime for anybody in Louisiana to try to enforce the Supreme Court integration decision." He said he believed interposition would work and keep the schools open and segregated, a pledge of Davis.

Garrett was asked whether the governor faced possible arrest by the federal court.

"The question," he said, "is how far the federal courts wish to go in this fight. Under interposition the legislature is the policy-making body and the governor is acting only as agent of the legislature.

Davis issued a statement that the move was "based upon solid precedent, and several instances of interposition going back to the time of Thomas Jefferson and James Madison."

LOUISIANA

# Votes Interposition

The Atlanta Constitution

# Lousiana House

Atlanta, Ga. 11-7-60

BATON ROUGE, La. (AP) — The Louisiana House Sunday unanimously approved a bill to use the state's sovereignty as a shield against the federal courts to prevent school integration.

The 100-0 vote on the interposition bill came a short time after nine Negro youths laid a wreath on the steps of the state capitol here and sang hymns.

The first real vote of the special session came when the House passed 94-6 and sent to the Senate the bill giving the governor authority to close schools to prevent disorders.

**CHAMBER JAMMED**

Rival demonstrators jammed the chamber as the House opened its Sunday session for a floor vote on a 28-bill anti-integration package.

The House quickly passed 96-1 a bill appropriating $168,000 for expenses of the special session.

Final legislative action may take place Tuesday, election day.

A federal court has ordered New Orleans schools desegregated by Nov. 14, and the school board has recommended for placement of five Negro girls in two white schools.

Gov. Jimmie H. Davis, although under federal injunction to keep out of the school integration dispute, called the special session to deal with the situation.

Parents demanding schools be kept open crowded in with signs proclaiming "open schools mean progress," "Don't close our schools," "A free democracy needs free public education" and "Louisiana 28 per cent illiterate; legislators trying for 100 per cent."

Segregation supporters waved small Confederate flags from the second floor gallery and held up signs reading, "Segregation — vote for Gov. Davis' plan," "Integration same as communism," and "God demands segregation."

Radio advertisements urged segregations to appear in support of the governor and the segregation bills.

**UNUSUAL PRACTICE**

State troopers in plainclothes were spotted throughout the chamber and gallery. It is a usual practice for plainclothesmen to show up when crowds of demonstrators appear.

State Rep. John Garrett, chairman of the joint legislative committee on segregation, said "if we don't change this federal usurpation of state power, there won't be any states in another 10 years—they'll divide this country up into about 10 districts and govern them from Washington."

The interposition bill makes it a crime for anyone to move to carry out school integration.

NOV. 1960
NEW ORLEANS

# New Orleans Official Urges Entry of 5 Negroes

The Atlanta Constitution

Atlanta, Ga.

NEW ORLEANS (AP)—Dr. James Redmond, superintendent of Orleans Parish (county) schools, Thursday recommended that five of an original 130 Negro applicants be placed in all-white schools.

Redmond said the five were determined by various tests on readiness, aptitude and application.

Pre 10-28-60

He did not name the five Negro students nor the two schools in which they would be placed.

The school superintendent reiterated an earlier stand that classes to be integrated would be separated by sex.

Redmond told a press conference this was his recommendation and would have to be approved by the School Board.

The board is under order from Federal District Judge J. Skelly Wright to integrate the first grades of public schools by Nov. 14.

The board said it would use the pupil placement plan, such as that used in Alabama and declared constitutional by the U.S. Supreme Court.

# Lawmakers OK Louisiana's Plan To Grab Schools

## U.S. Is Reportedly Poised To Hit State With New Order

By The Associated Press

BATON ROUGE, Nov. 8.—The Louisiana Legislature approved Gov. Jimmie H. Davis' new school seizure powers Tuesday amid reports that Federal Government was poised to hit the state with a new hands-off order.

Federal machinery may start grinding upon signature by the Governor of a 29-bill package segregation leaders and the Administration rammed through to final approval.

The Legislature completed its work after a tight five-day schedule shortly after noon. The Senate approved the measures and the House quickly went along with amendments. The House first stamped OK on the plan Sunday.

### U. S. Waiting

The Federal Government was reported waiting until the Governor completed signing all the bills.

Governor Davis flew to Shreveport to vote in the presidential election.

The Legislature, with its work done, went home until noon Nov. 15, when it is scheduled to end the session.

Louisiana, in effect, told the rest of the nation either to give the Federal Government proper authority to control segregation or the state's schools may be wiped out.

Segregation forces regrouped in the special Legislature, after Federal Court losses, and hurled the historic weapon interposition at the Federal courts. The idea is to interpose the state's sovereignty between the people and the Federal Government until the matter is solved.

### Opposition Crushed

State sovereignty champions crushed opposition from open schools advocates and rammed to final approval Gov. Jimmie H. Davis' 29-bill prop-segregation legislation.

The Louisiana Governor immediately signed key bills in the package, shouldering new authority to close the public schools.

In early September, the Federal courts tossed out the core of an earlier segregation package. Governor Davis was ordered to keep out of a plan to mix the races in first grades of Orleans Parish.

# LOUISIANA MAPS INTEGRATION BAN

## Special Legislature Session Acts to Ban Desegration of New Orleans Schools

Special to The New York Times.

BATON ROUGE, La., Nov. 4—The Louisiana Legislature met in special session at noon today and a package of bills designed to stave off integration of New Orleans schools was introduced.

The bills ranged all the way from interposition of the state's power against enforcement of Federal court orders to a measure giving Gov. Jimmie H. Davis, who summoned the legislators into session, authority to close public schools.

Administration leaders said a five-day timetable had been set up to enact the twenty-nine bills introduced into law. This would mean final passage by the Senate Tuesday morning, Election Day. A thirtieth bill, the contents of which were not divulged, may be introduced when the House meets tomorrow noon to receive a report from a committee considering the measures.

Strictest secrecy shrouded contents of the bills until a half hour before the lawmakers convened. Then Mr. Davis made them public with a statement that they were prepared by his Louisiana Sovereignty Commission, the Joint Legislative Committee on Segregation and school officials of the state.

### Deadline Is Nov. 14

All of the bills save the first, which provided $168,000 for the expenses of the session, dealt with schools and marked attempts to prevent integration of New Orleans schools, ordered for first grades by Nov. 14. Five Negro girls have been certified for entrance into two previously all-white schools on that day under terms of the pupil placement law.

As the Legislature convened, hundreds of women bearing placards and signs urmging that schools be kept open marched through the capitol halls and into the House and Senate chambers.

The second bill introduced was the one calling for interposition of the state's authority between the Federal Government and the public schools of the state. It called the "unlawful encroachments" by the Judicial and Executive branches of the Federal Government" a deliberate, palpable and dangerous exercise of governmental powers not granted to the United States by the United States Constitution."

Another measure authorized the Governor to close public schools to prevent violence or disorder and provided that teachers would be paid and students given credit for attendance during the time of closure. A fourth authorized the Governor to close schools directed by Federal courts to integrate while still another directed the Governor to protect school property in the event of closing schools.

### Free Textbooks Opposed

Supplying the free textbooks and supplies to integrated schools was prohibited under a bill introduced and a companion measure denied accreditation by the State Board of Education to any public school that operates contrary to state law.

Sweeping powers were given the state police in another bill that authorized the state police force to enforce peace anywhere in the state and to perform any duties imposed by the legislature. Another measure authorized the Legislature to operate public schools in parishes (counties) of more than 300,000 population which would be New Orleans. A board of trustees to handle school funds in New Orleans is set up in another bill.

A bill authorized revocation of teaching certificates of teachers who instruct classes in violation of state law and policy and another prohibits transfer of pupils from one school to another after the twenty-first day of the school term.

Similar action was authorized in connection with trade schools in other bills.

# LOUISIANA CALLS SPECIAL SESSION

## Davis' Move Linked to U.S. Integration Orders for New Orleans Schools

Special to The New York Times.

BATON ROUGE, La., Oct. 28—In an apparent effort to stave off integration of New Orleans public schools, Gov. Jimmie H. Davis summoned the Legislature today into a twelve-day session beginning Nov. 4.

The call, issued this morning, included five items, four of which appear to be related to the segregation moves. The session will end at midnight, Nov. 15, one day after the Federal District Court has ordered the New Orleans schools to integrate the first grade.

Mr. Davis, who has steadfastly denied any plans for a special session, apparently is preparing for a head-on clash with the Federal courts. He is now nder a sweeping Federal injunction ot to interfere in any way iwth the integration of the schools.

The first item in the call for a special session asks for legislation "relative to the education of school children of the state; relative to an educational system which shall include all public schools and all institutions of learning operated by state agencies."

The last phrase could relate to state colleges, Louisiana State University and trade schools. Negro students already attend state colleges and the L. S. U. Graduate School under court order. Suits for admission to trade schools are pending.

### Other Agenda Items

Other items call for:

¶Legislation "for the preservation and protection of the powers and rights reserved to the State of Louisiana and to the people by the Constitution of the United States and the amendments thereto."

¶Legislation "relative to the police power of the state and to protect and promote the health, peace, morals, education, good order and the general welfare of the people."

¶Legislation "relative to a state militia."

Another item calls for an appropriation to defray the expenses of the session.

Bills have presumably been prepared under the direction of the Joint Legislative Committee for Segregation and the Louisiana Sovereignty Commission. The two groups have held numerous secret sessions in the last two weeks with various district attorneys and top legal minds of the state.

The item on the state militia brought speculation that some type of executive or legislative interposition is being planned. Interposition generally means placing the Governor personally between the schools and the Federal Government. Legislative interposition presumably would mean placing the 140 members of the House and Senate between the Federal courts and the schools.

There have been widespread reports that the Legislature will legislate out of office 900 parish (county) school board members and take over controls of the schools. A provision in the state Constitution provides that any official can be addressed out of office for cause less than impeachment.

### White Boycott in Detroit

DETROIT, Oct. 28 (UPI)—A move to transfer 314 Negro pupils to three predominently white grade schools in Detroit resulted today in a parent-inspired boycott by more than 1,200 students.

The parents had warned Superintendent of Schools Samuel M. Brownell earlier this week they would keep their children out of classrooms for three days if the transfer of students was carried out.

# Anti-Mixing Bills Passed In Louisiana

BATON ROUGE, La. (AP) — Gov. Jimmie H. Davis' segregation leaders' Sunday rammed through the Louisiana House their entire 28-bill program designed to block integration of New Orleans public schools.

A resolution empowering a committee of eight legislators to run the New Orleans school was described by sponsors as the real heart of the special session because it provided the way for the legislature to step between federal courts and integration. The resolution, adopted 91-6, provides that the eight legislators "shall in all cases be privileged from arrest"

A key bill, passed 88-11, authorizes the legislature to take direct control of New Orleans schools. Another measure, passed 94-6, empowers the governor to close schools to prevent riots or disorder.

The House voted 100-0 for a bill authorizing the rarely-used doctrine of interposition.

# Last Ditch In Louisiana

LOUISIANA'S rock-hard opposition to public school integration of any degree, of even token variety, is demonstrated in the massive legislative program approved by the Louisiana House and now under sympathetic study by the Louisiana Senate. In its scope, the 28-bill program, exceeds even the integration resistance efforts of the Arkansas Legislature in connection with the Little Rock crisis.

"Leaving no stone unturned" is resorting to a cliche for a description of the efforts of the Legislature to frustrate the scheduled admission on Nov. 14 of five Negro girls to the first grade of the New Orleans school system, but that is the evident aim of Gov. Jimmie H. Davis and the Legislature. It is with perhaps a measure of frantic desperation that the Legislature is exploiting every possibility produced in the last six years for thwarting the 1954 Supreme Court integration decision.

Among the measures approved by the Louisiana House is a bill based on the controversial doctrine of interposition, whereby a state takes the prerogative of declaring a federal law or federal court order not applicable within its borders. An issue in interpretation of the U. S. Constitution since the nation was founded, the theory of interposition has stirred a legal controversy of its own since the 1954 decision, but it has not been subjected to a hard court test in connection with the integration ruling.

ANOTHER BILL in the program would put the New Orleans school system under the administration of a committee of legislators, on the theory that as members of the State Legislature they could successfully defy federal court arrests and injunctions. A third bill empowers the governor to close all schools.

Such a program, if enacted into law, and there appears no doubt that it will be, could put the brakes on the plans of the New Orleans School Board to bow to a federal court order next week by instituting token integration under the pupil placement formula. That is, unless the New Orleans School Board should decide to resort to the doctrine of interposition itself in its relationship to the state government and ignores the Legislature. Whether the program could permanently frustrate the federal court is a question that, according to authoritative Louisiana sources, is heavily shadowed by a lot of doubt.

That the Legislature is acting in concert with the sentiment of the people of Louisiana in adopting any and every recourse to prevent integration of any of the state's public schools is beyond doubt up to one point—closing of the

*Davis . . . No Stone Unturned*

schools. Developments in the massive federal-state contest could well produce a decision on that.

THE LEGISLATURE and Gov. Davis are evidently determined that public schools, of New Orleans and possibly the whote state, shall be closed rather than integrated. Whether, when the issue gets down to taw, the people of Louisiana will accept that solution remains to be seen. If they do they will have made the most historic, the most complete answer to date to the Supreme Court and its Black Monday ruling—abolishment of a public school system.

Watching the Louisiana crisis with particular interest, we can be sure, is the state of Georgia, where the next session of the State Assembly could well be a duplication of the activities in the Louisiana capitol. The conditions are greatly similar, with Atlanta under court order to institute a grade-a-year integration plan starting in 1961 and the Legislature and governor committed to every possible recourse to prevent it.

# La. School Funds Overdrawn

## State Treasurer Says Income Slow

BATON ROUGE, La. (AP) — State Treasurer A. P. Tugwell said Tuesday Louisiana school funds are eight million dollars overdrawn and New Orleans may have trouble getting money to pay teachers in December regardless of integration.

Tugwell, under state court injunction to withhold money from the Orleans school board, said somebody is going to get cut unless the state can come up with some money.

The Orleans board may have trouble borrowing money, he suggested, when there is a poor chance of tax money's coming in to cover the loan.

The treasurer said 47 of the state's 67 school systems have never been paid their shares of state funds for October. Behind the problem is slow tax revenues in the state.

**PAID IN NOVEMBER**

The Orleans system, rocked by a federal-state struggle over school integration, was given its share for November along with Livingston, Tangipahoa and the city of Bogalusa.

"We are not going to pay Orleans for December," he said, "when we haven't paid other parishes for October yet."

He described the Orleans school finances as in precarious circumstances whether the Legislature under new laws controls the schools or the school board does so under federal orders.

Orleans had a balance of $870,000 when the Legislature seized school moneys and put them into the legislative school fund No. 1. The next day, under federal order, the money was transferred back to the school fund; and some $42,000 was drawn to pay maintenance workers.

**PAYDAY LOOMS**

Orleans teachers are due for a payday Nov. 22. The amount of payroll requirements was not immediately known here but the school board does have some tax revenues of its own, although small compared to that which comes from the state. Teachers' paydays are spaced 20 teaching days apart, or every four weeks.

Tugwell said that for the whole state the government has not paid some seven million due to parish and city school systems.

The school fund Tuesday showed a deficit of more than $8,228,000. The fund will not get out of the red before June, he said, unless the state can sell 22 millions in mineral leases on state owned property.

If federal Judge J. Skelly Wright should order the state to meet Orleans parish school payroll expenses, it is apparent that there may not be any money to do so anyhow.

Adding to the state's financial complications is the unexpected cost of a 12-day special session of the Legislature, which ends at midnight and a new 20-day session beginning at the same time.

The administration budget allowed only $122,000 in extra funds for the year. The $168,000 cost of the first special session destroyed that balance. What the additional special session will cost has not been determined, but the cost of the first session ran some $14,000 a day.

For a 30-day session, that could come to some $780,000 if the Legislature stays busy. Some legislators have suggested they should work for free, but that would be unlikely.

Between Nov. 20 and Dec. 10, Tugwell estimated, the state will receive 30 to 35 million in taxes. Twelve million will be for November school bills, about 13 million for general fund appropriations, 11 million for parish tax exemptions, 750,000 for gasoline tax distributions to parishes, five million to highways and another five million to welfare.

That leaves the state not only broke, he said, but possibly nine to 10 million in the red.

Meanwhile, he said, his office will hold back tightly on all outgoing funds in every way possible.

# New Orleans Bishop Defends School Integration Stand

Atlanta Daily World Atlanta Ga.
Sun 9-20-60

NEW ORLEANS—Archbishop Joseph F. Rummel of New Orleans has charged that critics of his latest statement endorsing school integration "misrepresent and misinterpret" his views.

Archbishop Rummel categorically denied charges that by issuing a August 21 pastoral urging peaceful school integration he was endorsing the Democratic platform, favoring communism, interfering in matter which do not concern the Church, or seeking to create "schism" among Catholics.

The Archbishop said that in urging peaceful integration of New Orleans public schools he had in mind "only the welfare of all and the loyalty which we owe to God, our country and to our Christian American way of life."

Archbishop Rummel had been criticized fo issuing the pastoral by the South Louisiana Citizens' Council and by Leander H. Perez, district attorney of Plaquemines and St. Bernard Parishes (counties).

In the pastoral, read in all the churches of the New Orleans archdiocese, the Archbishop warned that lawlessness would result from actions that "flout the school integration decision."

He designated August 21 a day of prayer "for an early solution of the race problem in our midst and to bring about a propitious response to the challenge for compliance with the ruling on the integration of our public school system."

On May 16 U. S. District Judge J. Skelley Wright ordered public schools here to integrate the first grade in September, and one more grade each succeeding year.

However, Louisiana Gov. Jimmie Davis took over the Orleans parish school system on August 29 and said the schools would open in September on a segregated basis.

Archbishop Rummel also declared in his pastoral letter that "in principle we are committed to the ultimate integration of our Catholic schools for reasons which have been repeatedly set forth in letters addressed to the clergy and laity of the archdiocese in past years." In 1956 the Archbishop announced that the integration of archdiocesan schools was under study. A group calling itself the Association of Catholic Laymen was set up to block school integration, and integration of Catholic schools was subsequently postponed.

(In July, 1959, however, the Archbishop announced that Catholic schools will be integrated no later than public schools here.)

Archbishop Rummel's pastoral was greeted by the South Louisiana Citizens' Council with the charge that he was guilty of "interference beyond the bounds of his ecclesiastical regimen."

The council said in a statement that by issuing his pastoral the Archbishop was supporting U. S. Supreme Court school desegregation rulings which have been attacked for being "sympathetic with communist and subversive causes."

Mr. Perez said the Archbishop's pastoral "is in line with the Democratic party platform on forced integration in all areas of community life, and it can only be interpreted as the Catholic hierachy's endorcement of (Sen. John F.) Kennedy for president."

Mr. Perez said he was "raised as a Catholic from childhood," but that he is "not an Archbishop Catholic . . . not a modernist Catholic.

"I know many Catholics who have fallen away from the church, and many more will do so if the Archbishop attempts to carry out this forced integration," he said. "The Archbishop is attempting to create a schism in the Catholic Church."

In his reply to the charges, Archbishop Rummel said the statements of the South Louisiana Citizens' Council and Mr. Perez "misrepresent and misinterpret" his pastoral "so grossly that a repudiation and refutation cannot be omitted."

He said there is "absolutely nothing" in the pastoral endorsing any party or candidate. "Only a distorted mind can attach any political significance to any part of the letter," he commented.

Archbishop Rummel said charges of "communistic intent or subservience" are "abundantly disproved" by his record and that of the Church in opposition to communism.

He continued: "Contrary to the theorizing of the advocates of racial segregation, the race question is a religious and moral question, affecting principles of justice and charity; the discussion is within the province of the teaching authority of the church and her representatives . . . Thus the writer's authority to issue the latter in question cannot be validly challenged."

Archbishop Rummel said the charge of promoting "division or even schism" among Catholics is "unwarranted in the face of" the November, 1958, statement of the U. S. Bishops opposing enforced segregation, and declaring it to be contrary to Catholic teaching.

"I anyone is promoting schism, let the segregationists examine their motives and ultimate aims," he said.

The Archbishop said that in calling attention to the dangers of opposing school integration by halting public education, he was simply taking notice of what many commentators have said.

"The issue is not what will happen in the schools, for they will be empty, but what will happen to the behavior of our children when there is no school to occupy their time and influence their conduct," he stated.

## In Mixed Classes

# N.O. Schools Plan Separation by Sex

The Pittsburgh Courier
Pittsburgh Pa.
Sat 10-22-60

NEW ORLEANS — When Orleans Parish public schools integrate first-grade classes Nov. 14, pupils in those classes will be separated according to sex, Supt. James F. Redmond said last week.

The announcement was made after a total of 199 pupils applied for transfers.

Of these, 135 Negroes sought admission to white schools and one white pupil asked transfer to a Negro school.

■

**DR. REDMOND,** in announcing that all racially integrated first classes would be separated according to sex, said this departure from the present co-educational system, is in keeping with newly enacted State Law 492 which outlines the pupil placement plan.

■

He said other school classes will not be affected this year.

Under a Federal Court order the school board has until Nov. 14 to begin integration of first grade classes.

The order provides a stair-step plan which means that the second grade will be integrated in 1961 and the process will continue year after year until all grades are affected.

MRS. MARIE V. M'COY

The Tribune
Seattle Wash.
10-17-60

# POST IS SOUGHT BY MRS. M'COY

## To Be in Nov. 8 Race for School Board

Mrs. Marie Vanderbrook McCoy has formally announced her candidacy for the Orleans parish school board with a pledge to "work unceasingly to keep our schools open and segregated."

The only woman in the Nov. 8 race for the school board, Mrs. McCoy said in a statement:

"Today more than ever the understanding and wisdom of a woman and mother are needed in the guidance of our educational system.

"Despite the fact that the active responsibility for the education of our children is

borne almost totally by mothers, who comprise nearly the entire membership of all parent-teacher and school co-operative groups, the school board at the present time is made up solely of men."

"I pledge to work unceasingly to keep our schools open and segregated."

A mother of two children, Mrs. McCoy is a past president of the George Washington and Jefferson Davis schools co-operative Clubs. She is treasurer of the East Orleans Civic Council and secretary of the East Gentilly Civic Association.

She is also active in the United Fund and the Mothers' March on Polio.

A native of New Orleans, she resides with her husband, John McCoy, and their two children at 4840 Dodt st.

The candidate was born and raised in the district that was represented by the late assessor, Richard F. Burke, and she was educated in the public schools in New Orleans.

# La. Agrees On Limited Mixing

Christian Science Monitor p 9

NEW ORLEAN — (UPI) — The Orleans Parish (county) school board has unanimously adopted a proposal to integrate public schools by approving a plan based on Louisiana's pupil placement law.

The Louisiana law, a duplicate of an Alabama law declared constitutional by a federal district court, would limit the number of Negroes allowed to attend previously all - white schools.

School board Chairman Dr. James Redmond said he would devise a placement plan in accordance with the state law since he felt sure it would stand up in court. Other laws aimed at maintaining segregation in the state have been declared unconstitutional in test cases.

# 135 Negroes Seek Entry At New Orleans Schools

The Atlanta Constitution
Atlanta, Ga

NEW ORLEANS, (AP) — Lloyd J. Rittiner, president of the Orleans Parish School Board, said Monday 135 Negro first-grade pupils have applied for admission to white schools.

The Orleans school system is under federal court orders to desegregate the first grade by Nov. 14.

Rittiner said the 135 Negro children were among a total of 199 first-graders, Negro and white, to apply for transfers from one school to another.

Rittiner said one white child requested transfer to a Negro school. Also 17 Negroes requested transfer to other Negro schools and 46 white children asked transfers to other white schools.

Application deadline for transfers was last Friday.

"No child, white or Negro, will be admitted to a school for which they are not suited," Rittiner said. "The board, above all, wants to maintain its existing standard of education."

He said the transfer plan will be administered fairly to both white and Negro children.

# Federal law to overide state law

The Afro-Am
Baltimore, Md.
Dat 11-19-60

NEW ORLEANS, La. — Gov. Jimmie H. Davis and the die - hard segregationists in the state legislature are waging a last - ditch fight against school desegregation here.

The futility of the struggle was underscored by School Board Attorney Sam Rosenburg who told the boarl members: "You have absolutely no alternative except to comly."

Rosenberg was referring to a federal restraining order which prohibits the school from taking any action toward executing Louisiana's newly passed batch of school segregation laws.

* * *

**THE FIVE-MEMBER** school board voted 4-0 to admit five colored first grade girls into its schools. One board member was absent.

The action came a few hours after a Federal judge issued a temporary restraining order handcuffing a state legislative committee that had seized control of the 85,000 - pupil school system.

The school board is under a federal court order to desegregate its schools.

The order became effective on Monday, Nov. 14.

* * *

**THE STATE** of Louisiana is traveling the same dead end road taken by Virginia and Arkansas in their futile efforts to avert school desegregation.

Although the decision requiring school desegregation has been retested and many other southern states have complied with it, the Louisiana Legislature rushed through the last minute segregation laws.

Gov. Davis had 28 bills passed in an effort to keep colored children out of white schools. Though the laws were passed, they met resistance both in and out of the legislature.

Gov. Davis is authorized to close the schools if necessary. One indignant legislator said: "What a hollow victory we would have with a bunch of segregated idiots in Louisiana!"

The New Orleans School Board was superseded Nov. 9 by an eight - man committee of the Louisana Legislature in an effort to block use of the pupil placement plan by the school board. The legislators acted under measures signed into law the previous day by Gov. Davis.

Federal Judge J. Skelly Wright set Nov. 18 for a hearing on the restraining order against state officials. It was Judge Wright who ordered first-grade integration in New Orleans.

A three - judge court will convene for the Nov. 18 hearing.

Wright's move came after a group of citizens asked a temporary restraining order to prevent the State from interfering with operations of the school board.

* * *

**SCHOOL BOARD** President Lloyd J. Rittiner said the names of the five pupils would not be made public prior to their admission Monday. He said the board has not even decided if the names of the schools will be made known.

Gov. Davis is under a court order not to interfere with the proposed desegregation of New Orleans schools.

Sen. E. W. Gravolet Jr., vice chairman of the Joint Legislative Committee on Segregation, said: "The legislature has been doing everything in its power to keep every public school in Louisiana open and segregated.

The New Orleans City Council went on record as opposing closing of schools. Numerous other organizations have expressed their opposition to plans to close the schools.

14d (1) 1960

# ...pite state resistance—

# Four Negro children mix two New Orleans schools

NEW ORLEANS, Nov. 14 —(AP)— Four Negro girls, trudging through yelling spectators, integrated two New Orleans elementary schools today despite state resistance.

There was no violence as the little first-graders entered the schools. They were the first of their race to attend white public schools in New Orleans since the days of the Reconstruction afteh the Civil War.

None of the estimated 75 state policemen sent to New Orleans by an angry Legislature tried to stop the U. S. marshals and their charges a sthey entered the William Frantz and McDonogh 19 19 schools.

Later, a state policeman serving as an assistant sergeant-at-arms of the Legislature tried to get the principal of McDonogh 19 to close his school. He served him Legislative orders. The principal refused to comply.

WHILE THE TENSE integration scenes unfolded in New Orleans, wildly angry state representatives meeting in special session in Baton Rouge called for continued determined warfare against mixing the races in Louisiana schools. The call came amid yells of "Hitler storm troopess" and "Let's go to jail."

While the uproarious legislative session met, a parade of Negroes marched down the state capital's Third-st, a main thoroughfare in Baton Rouge, and up the steps of the skyscraper state Capitol in single file.

There was no immediate explanation of their mass presence.

**Rep. Welborn Jack, a leading segregation leader, questioned the sanity of U. S. District Judge J. Skelly Wright on the floor of the House. "I just can't see," said Jack, "that a man who will od what he is doing, I don't see how he si entirely mentally right."**

Rep. John Lewis cried: "If we have to go to jail, let's go to jail."

Several legislators called for the state's representatives to join the fight against integration.

But State Police ,acting as assistant sergeants-at-arms and not as State Police, did nothing more than visit schools and try to get principals to close down.

CORDONS OF NEW ORLEANS city police were augmented as the hours wore on. At the Frantz School, located in a workingman's neighborhood on the eastern perimeter of the city, a truckload of policemen threw up a circular barrier about two blocks around the school.

**Fifty to 75 white students were taken from Frantz School by parents. Another two score appeared to have left McDonough.**

An unofficial report said only 100 students of a normal enrollment of 600 were in Frantz School. It was impossible to get exact figures.

Autside, a woman yelled: "They ought to take Judge Wright out and hang him by his toes." She kept yelling it. Police have guarded Wright's home for several days.

AT McDONOGH, it was reported 200 students remained inside. But normal enrollment figures were not immediately available.

**A group of 40-50 high school students from nearby Francis T. Nicholls High School arrived in late mid-morning with signs reading "We don't want to integrate." The teen-agers waved American and Confederate flags.**

City Police Supt. Joseph Giarrusso said his men were present "strictly to preserve order."

IN THE UPROARIOUS session of the state house, Rep. John Garrett shouted that the Legislature "will not back up" in its fight to maintain segregation.

**He suggested the state should arrest Judge Wright and the federal marshals involved.**

The House passed a resolution calling Sens. Allen Ellender and Russell Long, both Louisiana Democrats, an dthe state's House delegation in Washington "to join forces with us in bringing to an immediate halt" all federal interference in state affairs.

JUDGE J. S. WRIGHT
. . . Enjoins Legislature

THE LEGISLATURE in Baton Rouge last night completed action on three sweeping concurrent resolutions designed to block the integration but Federal Dist. Judge J. Skelly Wright quickly enjoined the entire Legislature from interfering with the eight-year-old battle to desegregate New Orleans schools.

**The Legislature, with leaders of Gov. Jimmie H. Davis in complete control, had rammed through resolutions which seized the New Orleans School System, authorized sergeants-at-arms hired to put at schools to prevent integration, dismissed the New Orleans school superintendent and school board attorney, and declared today a school holiday.**

DAVIS HAS CALLED a 30-day special session to convene tomorrow. It is expected to recess immediately and be ready on a standby basis for whatever happens.

Demonstrators packed the Legislature yesterday. The segregationists waved Confederate flags and waved signs: "Nix on mixing." Their opponents carried banners reading: "Don't call time out for education" and "please—keep our schools open."

NEW ORLEANS SCHOOL INTEGRATED
. . . Negro child followed by her father, two U. S. marshals

Associated Press wirephoto

# JACKSON CITED BY U.S. JURIST

The Times-Picayune

## Faces Contempt Action for Holiday Order

New Orleans, La.

Shelby M. Jackson, superintendent of public education, Sunday was cited for contempt of court for declaring Monday a holiday in the public schools.

**He was ordered by federal district Judge J. Skelly Wright to appear here for a hearing Friday at 10 a. m. At that time he is to show cause why he should not be found guilty of civil contempt of court.**

Meanwhile, the Orleans parish school board declined to comment on the "holiday." Board members said they were waiting for word from the special session of the Legislature in Baton Rouge.

11-14-60

**WRIGHT SIGNS CITATION**

The contempt citation came less than 24 hours after Jackson announced a "statewide public holiday" for Monday — apparently in an attempt to delay integration of five Negro girls into two previously all-white New Orleans schools.

The two schools were to be integrated Monday by federal court order.

Judge Wright signed the contempt citation Sunday about 2:15 p. m. United States marshals left New Orleans 20 minutes later to serve Jackson with the papers.

**The two-page motion for contempt was filed by Thurgood Marshall and A. P. Tureaud, attorneys for the National Association for the Advancement of Colored People.**

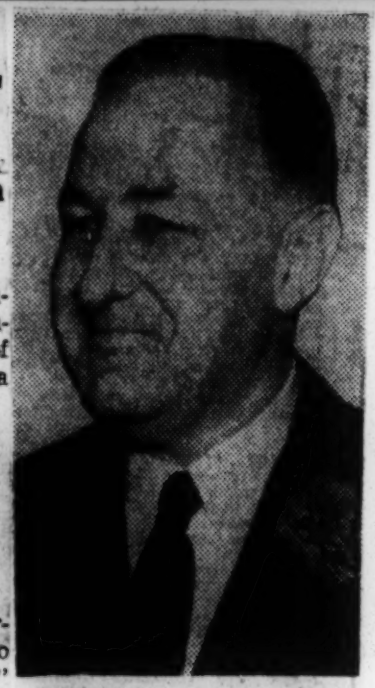
Notified of the citation in Baton Rouge, Jackson said:

**"That's my perfect right, to declare a holiday.**

**"The NAACP filed that, eh? How can they cite you for contempt when you haven't been served? I'm just going to attend to my business.**

**"I feel that the more power the federal government takes from the people, the more socialistic we become. And socialism is only one step from communism."**

Jackson said he hadn't been served, and "I'm not running from anybody."



**SHELBY M. JACKSON**
**Cited for contempt.**

**PREVIOUS ORDER**

In the contempt motion, the NAACP said Jackson issued the "holiday" proclamation "wilfully, contemptuously, deliberately, and with the purpose of interfering with the execution of and compliance with the order of this court requiring desegregation of the Orleans parish schools. . ."

**Jackson, a state segregation leader, previously was ordered by Judge Wright not to interfere with the federally-ordered integration. The NAACP contended he violated this order.**

In other developments Sunday:

1. Mayor deLesseps S. Morrison, in Baton Rouge to attend he special session of the Legisature, said he felt that New Orleans schools would be oper on Monday.

**2. Police Supt. Joseph I. Giarrusso, in a pep talk to members of the department at the Police Academy, urged his men to "carry on in the best police tradition during the school crisis."**

3. Members of several school boards in the state prepared to obey or ignore Jackson's proclamation and his call to Baton Rouge for 10 a. m. Monday meeting.

New Orleans, La.

**12-HOUR POLICE DAY**

At 6 a. m. Sunday all city police began working a 12-hour day in connection with what Giarrusso called the "present unsettled conditions." Also, all fruloughs and days off were cancelled until further notice.

**In his talk, the superintendent advised policemen they "must not get hotheaded." All officers must exercise their duty as policemen regardless of their personal felings in connection with the school situation, he said.**

Before receiving word that he had been cited for contempt, Jackson released a statement supporting his segregationist views. He said:

"I want to emphasize to the citizens of Louisiana that there is no federal law requiring integration in the schools. Furthermore, there is nothing in the United States constitution that requires integration in the schools.

**"Approximately 97.64 per cent of all funds that are used on public education in Louisiana comes from the Louisiana taxpayers, about 70 per cent of which is provided by the Lousiana Legislature.**

"Under the constitution and laws of this state," he continued, "schools must be operated o a segregated basis. The Leginslature sets up every phase of state government and provides the organization for local agencies who are to receive this money such as school boards, etc.

**'THROUGH LEGISLATURE'**

"It is only through the Legislature that these funds can be legally provided. Therefore," he concluded, "it must be realized by all citizens that the Louisiana Legislature is within its legal rights in maintaning segregaton."

**WAGNER UPHOLDS JACKSON**

Earlier Sunday, Emile A. Wagner Jr., segregationist voice of the school board, said it was not within the jurisdiction of the board to oppose the action taken by the state superintendent.

**"Shelby Jackson has within the powers conferred upon him the right to make any administrative regulation desired," Wagner said. "He has, for his own good reasons, decided to call a holiday. And it is not within the jurisdiction of the Orleans parish school board to oppose this move."**

Wagner went on to say it was his opinion that the school board didn't even exist.

**SAYS 'BOARD DISBANDED'**

"I believe the board has been disbanded by the Legislature," he asserted. "I therefore question the ability of the school board to meet to discuss the holiday.

"If asked to meet, I will refuse to do so."

Wagner added that "if the board runs true to form," however, a meeting would be held and the board would oppose the state in an effort to keep public schools open on Monday.

**"And if they do this," he said, "I must dissent. Through conviction, I must go along with the state. I will contend that integration means disaster."**

Wagner made these comments Sunday morning at his home. Meanwhile, Rittiner was canvassing the four school board members by telephone.

When contacted, Rittiner said plans were "somewhat indefinite now. It's too early to say anything."

**TO HAVE ANNOUNCEMENT**

He did explain, however, that the board would take action on Jackson's "holiday" ruling. Decision whether to comply with the holiday or to ignore it would come later in the day, he said.

Rittiner said he didn't know if he would call a board meeting or not. It was possible, he said, that the decision would be made following the telephone conversations.

"You can be sure of one thing," the board president said. "We will have an announcement concerning the schools later today, probably by 6 or 7 p. m."

He explained that he was waiting to see "what the legislators do." The Legislature began a session at 3 p. m.

---

## Text of Jackson Contempt Motion

Following is the text of the motion for contempt filed Sunday against State Supt. of Education Shelby M. Jackson, and Federal District Judge J. Skelly Wright's decision on the motion:

"United States District Court, Eastern District of Louisiana, New Orleans Division.

"Earl Benjamin Bush, et al., versus Orleans parish school board, et al, No. 3630, civil action.

"Motion for civil contempt:

"Thurgood Marshall and A. P. Tureaud, counsel for plaintiffs in the above entitled and numbered proceedings, move the court for a rule requiring Shelby M. Jackson, superintendent of public education for the state of Louisiana, to show cause why he should not be adjudged in contempt of the order of this court dated Aug. 27, 1960, issued in the above numbered and entitled proceedings, for the following reasons:

"1. On the 27th day of August, 1960, in consolidated proceedings entitled Earl Benjamin Bush, et al. v. Orleans parish school board, et al, Civil Action No. 3630 on the docket of this court, and Henry K. Williams, et al, v. Jimmie H. Davis, governor of the state of Louisiana, et al, Civil Action No. 10329 on the docket of this court, this court enjoined the Hon. Jimmie H. Davis, governor of Louisiana, and others acting in concert with him, from interfering with the operation of the public schools for the parish of Orleans by the Orleans parish school board pursuant to the orders of this court.

"2. On the 30th day of August, 1960, in the proceedings entitled Earl Benjamin Bush, et al, v. the Orleans parish school board, et al, Civil Action No. 3630 on the docket of this court, this court ordered the desegregation of the Orleans parish schools beginning with the first grade on Nov. 14, 1960.

"3. On the 31st day of August, 1960, Shelby M. Jackson, as superintendent of public education of the state of Louisiana, was served with a copy of the injunction of Aug. 27, 1960.

"4. On Noevmber 12, 1960, Shelby M. Jackson, as superintendent of public education of the state of Louisiana, wilfully, contemptuously, deliberately, and with the purpose of interfering with the execution of and compliance with the order of this court requiring desegregation of the Orleans parish schools beginning with the first grade on November 14, 1960, issued a proclamation declaring Monday, November 14, 1960, a public school holiday, and called a meeting of all white public school principals and other white public school administrators for Monday, November 14, 1960, at 10 a. m. in Baton Rouge, La."

The motion was signed by Marshall and Tureaud.

The ruling stated:

"Considering the above motion:

"It is ordered that Shelby M. Jackson show cause, if any he has, on the 18th day of November, 1960, at 10 a. m., at New Orleans, La., why he should not be adjudged guilty of contempt of court."

This was signed by J. Skelly Wright, U. S. district judge.

# Louisiana Speeds Extra Session To Head Off School Integration

The New York Times

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Nov. 11—Gov. Jimmie H. Davis speeded today a special session of the Legislature to block the integration of New Orleans schools. The Legislature will meet Sunday instead of Tuesday.

Five Negroes are scheduled to enter white schools Monday.

Usually reliable sources in Baton Rouge, the capital, said lawmakers would be asked to remove summarily the five elected members of the Orleans Parish (County) School Board. This would make it difficult if not impossible for classes to continue.

The board met late yesterday and formally approved administrative steps to implement a desegregation plan ordered by the Federal District Court. The move angered legislators.

[In Washington, a Justice Department official said he was confident that the New Orleans integration would begin on schedule.]

Governor Davis issued a call for the special session late last night. He directed the House and Senate to convene Tuesday for a thirty-day period to consider new segregation measures.

However, his office announced today that the meeting was being moved up to Sunday.

Meanwhile, the approaching deadline for compliance with the desegregation order issued last May by Judge J. Skelly Wright created an atmosphere of crisis.

The city police mounted a twenty-four-hour guard on the judge's home. A reinforced unit of deputy Federal marshals has been mustered here to block any interference with the court's directives.

M. Hepburn Many, the United States attorney, said additional deputy marshals were en route. He said they were needed to serve court orders.

A Justice Department troubleshooter arrived here today from Washington. He is St. John Barrett, second assistant attorney general in the Civil Rights Division.

### Confers With Governor

In Baton Rouge, Thomas Burbank, assistant state police superintendent, conferred with Governor Davis. There were reports that the state police force in New Orleans would be increased.

The Governor is under a Federal court injunction and a restraining order forbidding him to interfere with the admission of the Negro pupils.

A showdown between state and Federal authority is expected if the schools open Monday after the holiday week-end.

President Eisenhower has so far given no indication that he would intervene by dispatching troops here as he did in the school desegregation controversy at Little Rock, Ark., in 1957. However, a detachment of United States Marines is available at the Algiers Naval Station across the river.

City officials expressed privately a determination to prevent a repetition here of the rioting that broke out in Little Rock. They noted that the police force had had considerable experience in handling crowds because of the thousands that come here every Lenten season for the Mardi Gras.

### Police Stand Guard

Governor Davis announced his decision to call the special session after a conference with segregation leaders at the Executive Mansion. Armed state policemen stood guard outside during the meeting.

There appeared to be two reasons for the change in the starting date of the session, which will overlap another emergency session.

One reason was the school board's reaffirmation of its decision to comply with Federal Court's directive in order to keep classes open. The other was the effect of two restraining orders issued yesterday by Judge Wright against State, parish and municipal officials.

The effect of the orders was to nullify segregation bills enacted by the first special session and signed into law last Tuesday by Governor Davis. Judge Wright set ahearing for Nov. 18 before a three-judge Federal panel on the constitutionality of the acts.

### Restraining Order Issued

One order restrained the legislative committee from taking further steps to prevent desegregation. The committee had arrived here yesterday under State Police guard and assumed control of the school system. The judge's action apparently stripped it of its powers and returned control to the board.

The chairman of the committee, State Representative Risley C. Triche, angrily told newsmen today in Baton Rouge that "the position of the Orleans Parish School Board is not one to prevent the schools from closing in the face of token integration."

He continued:

"It is one of affirmative action and complicity with the plaintiffs who seek integration of New Orleans schools. I don't think they are being honest with the Legislature, the Governor and the people of New Orleans, white or Negro."

### Request for Order

The plaintiffs he referred to were the white parents who filed a complaint before Judge Wright yesterday requesting the restraining order.

Significantly, Mr. Triche asserted that "yesterday there was no threat of closing the schools. But certainly our efforts were made more difficult by their [the board members'] refusal to cooperate and by their being defendants in a friendly lawsuit."

Representative Triche was served with the restraining order by a deputy Federal marshal at the State Capitol.

Davis forces refused to confirm the reports that the Legislature would oust the School Board. Representative Thomas Jewel, House Speaker, said only that "technical changes" were needed in legislation adopted by the previous session.

Mr. Jewel also said he did not believe that Judge Wright's restraining order "limits the [legislative] committee in its control of New Orleans public schools." He declined to elaborate.

By calling the legislators to Baton Rouge, Governor Davis placed them under a section of the State Constitution that makes them immune from arrest in certain instances. The section states:

"The members of the Legislature shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from same."

### Justice Aide Confident

Special to The New York Times.

WASHINGTON, Nov. 11—A high official of the Justice Department expressed confidence today that the integration of New Orleans public schools would begin as scheduled Monday.

Harold R. Tyler Jr., head of the department's Civil Rights Division, doubted that any new legal moves by segregationist officials in Louisiana would prove effective. He said:

"If the fight can be kept in the courts, everything will work out."

The department will shortly move to intervene as a friend of the court in the lawsuit over New Orleans schools. This is an unusual step, and one that indicates the importance of the test of Federal and state power shaping up in Louisiana.

Judge Wright advised the Justice Department informally that he wanted the Government to come into the main case as a friend of the court. The department decided today that it would do so and began preparing its briefs.

The same sort of role was played by the Justice Department in the Little Rock case. It was invited to enter by the Federal Judge as a friend of the court after an ordinary private suit had led to a test of strength between the Federal court and the State of Arkansas.

The New Orleans case, like all school-integration cases, is a suit by private individuals—Negro children and their parents—against the local school board and other state officials. Ordinarily the Justice Department is not involved.

# La. Schools Head Cited For Contempt

The Washington Post

BATON ROUGE, La., Nov. 13 (UPI)—A Federal judge cited the State Superintendent of Education for contempt of court today for declaring Monday—the day five Negro girls are scheduled to enter two all-white schools in New Orleans—a school holiday.

At the same time, the Legislature was making a last-ditch effort to stop the desegregation of the two elementary schools, scheduled for 9:45 a .m. (EST) Monday.

Federal Judge J. Skelly Wright in New Orleans ordered Superintendent of Education Shelby Jackson to show cause next Friday why he shouldn't be held in contempt of court.

*Arlington's 1½ years of public-school desegregation appraised* *Page B1.*

Jackson last night declared Monday a school holiday all over the state. New Orleans schools were not expected to obey it.

But one of four resolutions introduced before the Legislature today would declare a school holiday in New Orleans Monday, and would delegate "sergeants-at-arms" to carry out the legislature's orders of a holiday. The sergeants-at-arms probably would be state police.

The House pased 87-13 a resolution giving control of the New Orleans schools to the entire legislature. This authority was delegated to an eight-man committee last week but Judge Wright restrained the committee from taking action.

The law under which the legislature would take over the schools was passed last week. It was one of those which Judge Wright restrained state officials "or anyone acting in concert with them" from enforcing.

### Immune During Session

Enforcement of it could possibly lead to the entire state legislature being cited for contempt of court. But under state law, legislators are immune from arrest while they are in session.

The New Orleans delegation put up a stiff fight but it appeared the segregationists sparked by Gov. Jimmie H. Davis, would win. However, it was not known what effect the resolutions, if passed, might have on Judge Wright's order to start desegregation Monday.

Wright's action citing Jackson was another in a series of moves indicating the Federal Government has every intention of seeing schools desegregated Monday.

He issued his citation at the request of the National Association for the Advancement of Colored People, which claimed that Jackson violated Wright's Aug. 27 injunction barring Davis and "anyone acting in concert with him" from interfering with desegregation.

The NAACP claimed Jackson was acting in concert with Davis.

Jackson said he had not been served with the papers in Baton Rouge, and that "I'm within my constitutional rights to declare a public school holiday any time I see fit."

Davis, who has sworn he would go to jail rather than let schools in Louisiana be desegregated, appeared on television for 15 minutes tonight to "dispel some of the confusion."

Nearly 700 persons jammed the House gallery in the skyscraper capitol, waving homemade signs held with umbrellas and bamboo fishing poles. The segregationists seemed to outnumber those urging that the schools be kept open, and burst into loud cheers when two big Confederate flags were marched around outside the House railing.

State policemen with walkie-talkies circulated through the capitol.

A law setting forth the interposition theory and making it a misdemeanor to interfere

Washington D.C.

Rock crisis, wried Davis yesterday that he would bring down the full powers of the Justice Department upon the Governor if he interfered with

om Rogers

General William P. Rogers, in probably the first warning from Attorney General Rogers, in probably the first direct warning from Attorney General Rogers, in probably the first direct warning with his order such direct warning with his order since the Little

with state officers carrying it out was among 17 segregation laws passed last week by the legislature. But Judge Wright promptly issued an order restraining anyone from enforcing the laws, and preventing Davis and a number of other persons from interfering with his order to desegregate Monday.

# LOUISIANA MOVES TO DEFY U.S. COURT IN DESEGREGATION

## Legislature Meets in Special Session—New Orleans to Ignore State's Actions

By CLAUDE SITTON

Special to The New York Times.

BATON ROUGE, La., Nov. 13—Louisiana's Legislature convened today in special session and moved immediately to challenge a Federal Court's desegregation order.

The action came less than eighteen hours before five Negro girls were scheduled to be admitted to the first grade in two white schools in New Orleans.

[The New Orleans School board announced it would integrate its schools Monday despite efforts in the legislature to bar all students from classes, according to United Press International.]

As the Legislature met, the State Education Superintendent, Shelby M. Jackson, was cited for contempt of court by Federal District Judge J. Skelly Wright.

The citation was the result of Mr. Jackson's declaration of a public school holiday for tomorrow. He was under a restraining order issued by Judge Wright forbidding any moves to block desegregation.

Resolutions introduced in the House over the objections of New Orleans' representatives would raise the threat of an open clash with the Federal Government.

### Galleries Are Packed

Galleries packed with segregationist demonstrators and those supporting open schools watched tensely as proposals were made to assert control of the Orleans Parish (county) school system by the Legislature acting as a body, and to appoint as many additional sergeants-at-arms as necessary to maintain the Legislature's authority.

Another resolution provided that no transfers would be permitted from one school to another except by legislative approval.

The five pupils involved in the New Orleans case were to be transferred from all-Negro schools to white classrooms.

The Legislature's actions opened the way for the most serious challenge to Federal authority on the desegregation question since the Little Rock crisis of 1957.

Attorney General William P. Rogers warned Gov. Jimmie H. Davis yesterday that interference would leave him no recourse but to use the full power of the Justice Department to carry out the court orders.

The Governor once vowed to go to jail rather than accept desegregation.

However, he was expected to rule out school closing or the use of the state police to provoke a clash between the state and Federal Governments.

Some of the demonstrators and spectators on the regislative galleries today carried Confederate flags and placards calling for continued segregation. One placard bore the message:

"We Want Segregation or Closed Schools."

Outside on the marble steps, a segregationist sang, "Don't put the white dove in the blackbird's nest."

Those advocating open schools at the price of token desecregation appeared to be in the majority. Some held up placards inside the House chamber that said:

"Don't Call Time-Out on Education—Keep Our Schools Open" and "Don't Make My Child a Political Football." Another read: "Signs Can Be Homemade but Schools Can't."

### Adoption Is Urged

State Representative Risley C. Triche laid the segregation faction's resolution before the House and called for their adoption.

He is chairman of the special legislative committee that asserted control of the New Orleans schools last Wednesday. Judge Wright subsequently issued a restraining order against the eight-member group.

The segregationists made their proposals in the form of resolutions instead of bills, because the rules require five days for the passage of a bill.

As the lawmakers convened, they received copies of a letter from Mayor de Lesseps S. Morrison of New Orleans asking that no steps be taken to close the schools or disturb the peace.

The letter was addressed to J. Thomas Jewell, the House speaker. It urged members "that you take no action to violate the principles of home rule in connection with any proposed removal of any public official."

This was an apparent reference to reports that the Legislature might summarily remove the Orleans Parish School Board.

### Mayor Warns of 'Chaos'

Mayor Morrison also asked "that you take no action that may have the effect of disturbing the peace and order of this community." He asserted:

"Any interference in this matter could only lead to possible chaos and trouble."

He contended that the sentiments of New Orleans residents had been demonstrated by the election of Matthew Sutherland to the school board last Tuesday over three segregationist opponents. Mr. Sutherland advocated keeping the schools open despite limited desegregation.

The enforcement resolution directed the assistant sergeants-at-arms to go to New Orleans "where intruders have ordered the unlawful transfer of pupils" and to "prevent the opening of said public schools on Monday, Nov. 14, 1960."

This step would constitute a clear violation of Federal Court restraining orders. It raised a question as to whether the legislature and its officials could be held in contempt.

The strategy of the segregationists, according to a state Senator, is to continue to declare school holidays for the remainder of the week. Students already were scheduled to be dismissed next Friday for a week's Thanksgiving holiday.

The Legislature apparently hoped to gain two weeks in which to formulate plans to block desegregation on a more permanent basis.

Judge Wright, in his contempt move, ordered the Education Superintendent to appear for a hearing Friday. Another hearing is set that day before a three-judge Federal panel on the constitutionality of the anti-integration laws passed by an earlier special session and signed into law last week.

Judge Wright issued the contempt citation at the request of lawyers for the National Association of Colored People.

United Press International Telephoto

**CITED IN LOUISIANA: Shelby M. Jackson, State Superintendent of Schools, talks to newsmen in Baton Rouge after being cited for contempt of court in school dispute.**

# PUPILS INTEGRATE IN NEW ORLEANS AS CROWD JEERS

The New York Times

New York

Nuts, 11-15-60

## U. S. Marshals Escort Four Negroes to White Schools as Police Patrol Area

## CITY DEFIES THE STATE

## Angered House Retaliates by Voting Removal of 4 on Parish Board

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Nov. 14—Federal deputy marshals escorted four Negro girls into two white elementary schools today while angry crowds hurled jeers and insults.

Many white parents withdrew their children from school. Marching youths sang "Glory, glory segregation" to the tune of the "Battle Hymn of the Republic" and legislators filled the capitol at Baton Rouge with threats and a flood of oratory.

But no violence marked this first step toward compliance with Federal court desegregation rulings in the hard core resistance area of the Deep South.

Orleans Parish (County) school officials ignored a special Legislative session's action in asserting control of the education system last night and proclaiming a school holiday.

### Policemen Dispatched

The legislators defied the restraining orders issued against them a short time later by Federal District Judge J. Skelly Wright. They dispatched state policemen, unarmed and in plain clothes, to the city's forty-eight elementary schools.

But school principals politely refused to obey the written demands delivered by the troopers, who had been sworn as sergeants-at-arms. Instead, they carried out instructions from Lloyd J. Rittiner, president of the Orleans Parish School Board, to conduct classes as usual.

The Legislature moved to take retaliatory action late today. House members voted 8 to 12 to remove summarily Mr Rittiner and three of the board's other four members. The fifth member, Emile F Wagner Jr., is a staunch segregationist and has advocated that the Federal court's orders be ignored.

Meanwhile, a restraining order was issued by State Judge Fred S. LaBlanc in East Baton Rouge District Court prohibiting the board from disbursing funds. It also demanded that minutes of a "secret meeting" purportedly held by them on Nov. 10 be produced in court.

The New York Times 42c Nov. 15, 1960

Associated Press Wirephoto

**ESCORTED TO NEW ORLEANS SCHOOL: Negro first-grader peers from back seat of car as she arrives at previously all-white school with Wallace E. Dows, U. S. Deputy Marshal. Desegregation step was marked by sporadic verbal outbursts but no violence.**

The board had opposed desegregation from the time of the filing of a suit Sept. 4, 1952, by lawyers for the National Association for the Advancement of Colored People until last May 16. Judge Wright handed down his own grade-a-year desegregation plan on that day, following the board's failure to submit one.

The New York Times

Nuts, 11-15-60

Today, hundreds of city policemen began to assemble in the mixed white and Negro residential districts of the two schools as the sun burned away the haze from the Mississippi River.

### Squad Cars on Patrol

Black squad cars cruised slowly through the narrow streets between modest white frame dwellings set among palms, oleanders and crepe myrtle. Patrolmen in gold-striped blue uniforms, black boots and white crash helmets dismounted from motorcycles to direct traffic.

Police officials and detectives stationed themselves around the school buildings and inside the halls. Deputy Federal marshals wearing yellow arm bands made a final check and drove to the homes of the four pupils.

There were no crowds at first outside McDonogh No. 19 School on busy St. Claud Street or at the William Frantz School in a quieter neighborhood on North Galves Street, several miles away. The identities of the schools and those of the pupils had been withheld by the board. But the police guard soon drew several hundred spectators to both schools.

Five girls originally had been accepted for transfer by education officials under a pupil placement plan. But the parents of one decided against the transfer, reportedly out of concern for her safety.

### 3 Pupils Arrive

Some thirty minutes after the scheduled start of classes the marshals pulled up at McDonogh No. 19 with three pupils accompanied by parents, a man and two women.

An angry roar went up from the whites among the mixed crowd of spectators. "Kill them niggers!" shouted one man.

The police rapidly moved the crowd off the sidewalk to a parkway in the middle of the street.

The parents and the pupils, who were in pigtails and freshly laundered dresses, were rushed into the stucco building by the deputy marshals.

Some 150 whites, mostly housewives and teen-age youths, clustered along the sidewalks across from the William Frantz School when pupils marched in at 8:40 A. M. One youth chanted, "Two, four, six, eight, we don't want to integrate; six, four, two, we don't want a chiggeroo."

### Onlookers Jeer

Forty minutes later four deputy marshals arrived with a little Negro girl and her mother. They walked hurriedly up the steps and into the yellow brick building while onlookers jeered and shouted taunts.

The girl, dressed in a stiffly starched white dress with a white ribbon in her hair, gripped her mother's hand tightly and glanced apprehensively toward the crowd.

Almost immediately, a teacher who refused to give her name strode from the building and drove away. A short time later, white parents began arriving to remove their children.

William Frantz has a normal enrollment of 575 pupils. Only 105 appeared today and less than fifty were left when the closing bell sounded this afternoon. Of the usual complement of 460 at McDonogh showed up a total of ninety-four showed up and a few more than thirty remained until the end of classes.

At mid-morning bands of about thirty-five high school boys marched past both schools singing "Glory, glory halleujah, the South will rise again." One group carried a cross bearing the word "segregation" in crude red letters.

### Police Rush to Scene

At no time during the day did a serious threat of violence arise. However, fifty patrolmen on foot and three on horseback were rushed to the McDonogh School when spectators began shouting and chanting. The Negro parents were driven away a short time later.

When the three transferred emerged from the school this afternoon, they were greeted by shout of "Don't come back tomorrow—you'd better not come back at all."

Dr. James F. Redmond, Superintendent of Schools, reported that some teachers had not appeared for duty. He attributed this to confusion over whether schools would be open.

One principal, Joseph Abraham, failed to open the S. J. Peters Junion High School, according to the superintendent. Joseph Lograco was placed in charge there.

Observers generally credited the peaceful advent of desegregation in this historic old seaport to Mayor deLesseps S. Morrison's determination to maintain order.

Aside from a letter requesting the Legislature to keep hands off the New Orleans schools, the Mayor had little to say publicly. But he was responsible for the security measures carried out by the police.

Some of the militant segregationists among the spectators criticized Mr. Morrison in angry tones. There were reports in Baton Rouge that the Legislature was considering an attempt to remove him from office.

Another target was Judge Wright. State Representative Wellborn Jack told the House of Representatives he questioned whether the jurist was "mentally right." And State Representative Julian S. Garrett called for Judge Wright's arrest by state officials.

The Legislature, in a five and half hour session convened yesterday, assumed jurisdiction over the schools, authorized the special legislative committee and the state police to maintain its authority and forbade transfers from any school without its permission.

### Votes Removal of Two

The legislators also voted to remove Dr. Redmond, and Sam I. Rosenberg, the attorney of the parish school board. These removals were considered to have been rescinded, along with the other actions, by Judge Wright.

Following the special session Judge Wright issued restraining orders against the 101 members of the House, the thirty-nine senators and virtually every key public official of the state.

Ironically, all parishes in the state but Orleans observed the holiday called by the Legislature.

The Governor has been summoned to appear Friday before

a three-judge Federal panel that will review the constitutionality of a mass of segregation legislation adopted by two sessions.

**President Given Reports**

AUGUSTA, Ga., Nov. 14 (UPI)—The White House said today President Eisenhower had discussed with Attorney General William P. Rogers attempts by Louisiana officials to block school integration in New Orleans.

The President was informed of—and apparently approved—Mr. Rogers' warning to Gov. Jimmie H. Davis not to interfere with the integration process.

The President is receiving reports on the situation from the Justice Department, James C. Hagerty, White House news secretary said.

# Steadfast School Man

## *Lloyd James Rittiner*

**Man In the News**

WHEN Lloyd James Rittiner, president of the Orleans Parish School Board, was a boy he used to play baseball with Negroes but "always with the understanding we were on different levels."

Mr. Rittiner is a stanch segregationist and a product of a segregated society. He took office with a pledge to fight every legal battle to maintain separate schools for whites and Negroes in New Orleans. Mr. Rittiner is not a politician. At 44 he is a self-made business man with a quick smile, an easy, relaxed manner and an inner core of stubborness where his convictions are concerned.

Mr. Rittiner was invited to run as a member of the five-man school board in 1956 by a group of women who steer the campaigns of most of the persons who win membership on the school board.

He had never held political office and had never been in the public eye. Twenty-four hours after he was invited to run for the board he agreed to do so on two conditions: he would not, if elected, feel under any obligation to the civic and professional groups that supported him and, in line with his belief in segregation, he would fight to the legal limit to maintain separate schools for whites and Negroes.

**'Pulled All the Stops'**

His backers, representing the League of Women Voters, the Parent-Teachers Associations and the School Cooperative Clubs, agreed to Mr. Rittiner's terms. As he says:

"They pulled all the stops and elected me."

That support has not diminished now that Mr. Rittiner has become involved in the fight of his life to keep the New Orleans schools open.

Mr. Rittiner's stake in the New Orleans fight is personal as well as political. He has two children, both of them in the public school system. He is divorced and has custody of his 13-year-old daughter who goes to public junior high school. His 10-year-old son, who lives with his mother, goes to one of the newer city elementary schools.

The New Orleans board chairman says he is not an intellectual, but an educator with whom he is in daily contact says of him:

"He has a marvelous mind. He can quote back to you figures upon figures that you know he has heard only once."

**Manner Is Relaxed**

Mr. Rittiner's relaxed manner is deceptive. He has a contagious laugh and speaks in a low key. But he has an iron will and he has complete determination in his fight to keep the New Orleans schools open.

He receives no salary as board president, but he says of $23,000-a-year School Superintendent, James F. Redmon:

"He works for me."

Associated Press

*Inner core of stubbornness*

Mr. Rittiner heads two companies, both of which he founded and built through his own energies. One erects steel buildings. The other is a piping company that supplies refineries and chemical plants. He spends little time at his desk. If you call him, the reply usually is:

"Mr. Rittiner is out in the field."

His trim figure gives the impression of a man who likes physical exercise and the open air. He played first base on a softball team in City Park until last spring when the rising school crisis forced him to forego baseball for the duration.

He also plays golf, rides horseback and enjoys fishing. He has a farm at Picayune, Miss., his favorite retreat.

Mr. Rittiner was born and raised in New Orleans. He was graduated in engineering in 1939 from Tulane University, having worked his way through college. He taught engineering at Tulane in 1946-47 after teaching in 1945-46 at the University of Texas extension school.

"My sister voted 'states-rights' Tuesday," he said as he sat down to dinner with her in his home, where she is a frequent visitor. "When I was a boy I played ball with Negroes but always with the understanding that we were of different levels."

Nonetheless, as he said, once the Federal courts drafted a plan for integration of the New Orleans schools the legal battle to maintain segregation had run its course. He has firmly opposed the efforts of Gov. Jimmie H. Davis and the state to block, by any means, the Federal courts from carying out their verdict.

# Legislature Votes for Removal Of New Orleans School Board

Special to The New York Times.

BATON ROUGE, La., Nov. 14—The Legislature voted tonight to remove New Orleans education officials who carried out a Federal Court desegregation order.

Meeting in special session, they "addressed out of office" Lloyd J. Rittiner, School Board president, and three other members. A fourth member, Emil F. Wagner Jr., had refused to go along with the others in complying with the court ruling.

The vote in the House was 88 to 12 and in the Senate 28 to 9. Following this action, the legislators adjourned until 11 P. M., central standard time tomorrow, when they will again take up the question of how to maintain segregation in the state.

**Recent Election Cited**

The four board members were meeting in New Orleans tonight and were expected to request relief from Federal District Judge J. Skelly Wright. It was he who handed down the desegregation order and also enjoined legislators from any interference.

Political observers here said they could not remember a similar instance of removal of elected officials.

It was pointed out that one board member, Matthew Sutherland, had been elected only last week. He defeated three segregationists after a campaign in which he spoke in favor of open schools even at the price of token desegregation.

Another resolution proposed in the House would direct Richard A. Dowling, district attorney for Orleans Parish, to indict the four members for their refusal to comply with the Legislature's orders.

The measure was returned to the House calendar after some discussion, however, and some members said it might be allowed to die.

Both House and Senate also have urged all members of the state's Congressional delegation to meet with them here tomorrow to discuss the situation in New Orleans.

A state Senator, B. B. Rayburn, told newsmen he might seek to have the Legislature try Judge Wright for contempt. The Louisiana Constitution provides a jail term up to thirty days for anyone not a member of the Legislature who shows "disrespect or disregard for that body."

Another Senator, Speedy O. Long, told the Senate that segregation could be maintained if white Louisianians would discharge all their Negro employes and refuse to patronize those concerns who did not go along.

14d(1) 1960

LOUISIANA

NEW ORLEANS (NOVEMBER, 1960)

# 2 Schools Desegregated At New Orleans as U.S. Overrides State Power

The Atlanta Constitution p. 1

Atlanta Jr. Jour. 11-15-60

## Legislature Fights Back In Court

By BRUCE GALPHIN
Constitution Staff Writer

NEW ORLEANS—Two elementary schools were desegregated here Monday as federal power overwhelmed state power in a brief but non-violent clash.

But the segregationist forces of Gov. Jimmie Davis stood by warily at the Legislature in Baton

*Legislature determined but judge holds upper hand.*

*Story on Page 12.*

fere with desegregation.

And in Baton Rouge, another state judge, Fred S. LeBlanc, temporarily enjoined the Orleans Parish School Board from using any public money to operate New Orleans schools.

**OUSTERS VOTED**

Less than three hours later the Louisiana legislature voted 88-12 to oust four members of the Orleans Parish School Board who had complied with desegregation orders.

And Bogalusa Sen. B. B. (Sixty) Rayburn said he might introduce a resolution to try Judge Wright for contempt of the legislature.

It was expected that the judge would strike down the latest efforts of the legislature no later than Tuesday morning.

The first racial mixing of schools since Reconstruction in this last-resort Deep South state came Monday morning when four six-year-old Negro girls entered McDonough No. 19 and William T. Frantz School.

Accompanied by federal marshals and parents, the children were further guarded by a wall of nearly 100 policemen around each school.

Names of the children and locations of the schools were kept secret to lessen the possibility of mobs.

**SQUEEZE**

...order thus places the school ...members in a squeeze be... two flatly contradictory ...ders.

...Judge J. Skelly Wright ...red them not to inter...

Crowds of jeering teen-agers and adults gathered after the sites became known, but the demonstrations never got out of hand.

As many as 500 protesting whites and a few cheering Negroes appeared at each of the schools during the day. Many parents entered the schools and withdrew their children, to the cheers of the crowds.

Negroes applauded when three girls showed up at the McDonough School and one at Franz School.

In addition to booing, some whites carried signs such as "Give Them the School. We Will Stay Home."

**CROWD HOOTS**

When police guarding the McDonough School left at 3 p.m., the remaining crowd hooted as they entered paddy wagons for the ride back to town. The crowd then quickly dispersed.

School had closed at 3 p.m., and the Negro children had been whisked out about 15 minutes earlier, but crowds and traffic jams remained until police left. The school is in a mixed neighborhood.

Attendance was down to a bare fraction Monday at the desegregated schools, as well as at some other Orleans Parish schools.

The drop-off was attributed to several causes: opposition to desegregation, fear of violence, and the confusion resulting from a voided state-declared holiday.

Judge Wright already had cited State School Supt. Shelby M. Jackson for contempt for calling the holiday, which was observed everywhere in the state Monday except New Orleans.

Wright also has ordered the following to desist from interfering with New Orleans' grade-a-year desegregation: Gov. Davis, members of the Legislature, virtually every state official, 250 mayors, 250 chiefs of police, 65 sheriffs, 31 district attorneys and state military and police heads.

Although the Legislature is pulling out all the stops—it was considering addressing (impeaching) city school officials out of office as well as its interposition move—Judge Wright appeared ready to declare void any and all of its actions.

Indication of continued warfare from the Louisiana legislature came from House Speaker Tom Jewell, who told the House he had been served with a federal court restraining order but he refused to consider it "valid, legal or binding."

"If we, the elected members of the Louisiana House of Representatives are to concede the validity of this service," said Jewell, "we will have bowed to an action that is neither lawful nor moral, but, instead, is nothing more or less than a judical coup d'etat."

Sen. Speedy O. Long, a cousin of the late Gov. Earl K. Long, called for a statewide economic boycott of Negroes to let them know "the white people of the State of Louisiana have declared war."

"Fire your colored maid," Long cried. "Let her go back to her quarters and pass the word. Do not patronize a barber shop that employes a colored shoeshine boy. Do not patronize any establishment that employes colored people."

Monday's desegregation was the culmination of eight years of litigation.

**JUDGE'S PLAN**

When local officials failed to submit a desegregation plan of their own, Wright finally drew up his own, calling for grade-a-year action starting with the first grade.

Eventually four out of five Orleans Parish School Board members accepted the plan and added pupil placement provisions.

In two special sessions, the Legislature twice has tried to remove the board from power and place itself in control of the schools. Twice it failed when federal courts issued restraining orders against the proposals.

segregated Monday. This would constitute defiance of earlier Federal court orders.

Some persons voiced fears of a clash between state and Federal enforcement officers. Deputy marshals have been rushed here from surrounding cities.

M. Hepburn Many, the United States Attorney here, filed a request late today in Judge Wright's court for restraining orders against parish county and municipal authorities here and elsewhere in the state. He asked that they be prohibited from interfering with Federal officials.

He issued a statement in which he took note of a state law enacted this week that provides a fine or imprisonment for any Federal official who seeks to enforce desegregation. He warned that interference with Federal officers was punishable by a fine up to $10,000 or ten years in prision.

Five Negro girls are scheduled to enter the first grades of two white schools here Monday. This would mark the first step toward integration below the college level in any of the five resisting states of the Deep South. They are South Carolina, Georgia, Alabama, Mississippi and Louisiana.

The children's admission was provided under a plan drawn by the Orleans Parish School Board at the order of Judge Wright.

Gov. Jimmie H. Davis and Jack P. F. Gremillion, State Attorney General, had previously been enjoined from interfering with the court's order. Despite this, however, Mr. Davis summoned the Legislature into special session Nov. 4.

Legislators adopted twenty-eight anti-integration measures recommended by the Governor, who has said he would go to jail if necessary to prevent Federal court orders from being carried out.

One measure seeks to interpose the sovereignty of the states between the Federal courts and the people of Louisiana. This is the law to which Mr. Many referred in his warning and the one attacked by the white plaintiffs in their request for a restraining order.

Another measure vested control of New Orleans schools in a committee of eight legislators, thereby superseding the five elected members of the Orleans Parish board.

Matthew R. Sutherland, a school board member, defeated

## LOUISIANA CURBED ON SCHOOL PLAN

New York Herald Tribune 11-11-60

### Federal Judge Acts as State Officials Take Over in Bid to Block Integration

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Nov. 10—A Federal judge restrained Louisiana officials today from carrying out a plan to block desegregation of this city's public schools.

His action may set up one of the most serious Federal-state conflicts over the question since Federal troops were dispatched to Little Rock, Ark., in 1957 by President Eisenhower.

Judge J. Skelly Wright issued the restraining order in response to a suit by a group of white citizens. It was filed today shortly after a legislative committee, guarded by three armed members of the State Police, had assumed control of schools.

After the issuance of the order, the New Orleans school board approved the integration of five Negro first-grade children into two white schools.

**Pronounces Defiance**

State Representative Risley C. Triche, committee chairman, said after the takeover that classes would remain open and

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
TUSKEGEE INSTITUTE
REEL 173

three segregationists in Tuesday's election, after a campaign in which he had advocated open schools even at the price of token desegregation.

The issue was drawn last May 16, when Judge Wright handed down a desegregation order against the school board. He told the board to begin a grade-a-year desegregation plan in September.

The board contended that it could not comply because of state laws then in effect. On Aug. 27, a three-judge Federal court found these laws unconstitutional. Judge Wright subsequently granted a delay until next Monday.

The special session of the Legislature that adjourned this week repealed the old segregation statutes and replaced them with new ones.

The key measure contends that there is no provision in the Fourteenth Amendment to the Constitution "purporting or attempting to prohibit the state from maintaining separate schools for whites and Negroes."

This is at variance with the United States Supreme Court's school desegregation decision of 1954.

The Louisiana law also declares that neither Congress nor the courts has authority to desegregate schools. It holds that to assume such authority, there must first be an amendment to the Constitution.

This and other measures giving the Legislature control of the schools were challenged today in the citizen's suit. The complain asked Judge Wright either to withdraw his desegregation order or prevent the new laws from being enforced.

He set a hearing for Nov. 18 before a three-judge Federal panel on the constitutionality of the statutes. He also issued restraining orders against the following:

Roy Theriot, State Controller; Col. Murphy J. Roden, State Director of Public Safety; Maj. Gen. Raymond H. Fleming, State Adjutant General; Shelby M. Jackson, State Superintendent of Public Education; James Redmond, Orleans Parish School Superintendent, and the eight members of the legislative committee that took over the schools here.

Federal deputy marshals were ordered to serve the officials with the orders.

Four members of the legislative committee arrived here this morning from Baton Rouge, the state capital. They were accompanied by two State Police captains and a sergeant.

The troopers, armed but in plain clothes, stationed themselves outside the room in the school board building while the legislators stripped the board members of their authority. The meeting dealt chiefly with the technical points of the changeover.

Mr. Triche said:

"We are going to operate the schools the same on Monday as they are operating today, with the same students assigned to the same schools with the same teachers. There will be no change. We will close tomorrow for the holiday and reopen Monday as usual."

Asked about the scheduled transfer of the five Negroes to white schools, he replied:

"We know now of no transfer of students nor recommendations for transfer which have been approved."

In a statement following the meeting, Mr. Triche said, "All functions, duties and responsibilities of this school system have been transferred to this committee."

Meanwhile, Paul V. Burke, a City Councilman, told that body he would ask Mayor deLesseps S. Morrison to hold a special referendum to decide whether residents wanted the schools kept open even with token integration.

# Really Now, They Jugged Wrong One

NEW ORLEANS (AP)—"Really, now, the idea of someone my size assaulting two police officers," piped British correspondent Joyce Egginton Wednesday. "It's just ridiculous."

However, charges of assault on arresting officers went on the books against Miss Egginton, arrested during the demonstrations of teen-agers against New Orleans public school integration.

Miss Egginton, 34-year-old New York correspondent for the London Daily Herald, also faces charges of reviling the police, resisting arrest and refusing to move on.

"The whole thing is just—well, it's fantastic," Miss Egginton said in an interview.

"Let's take it step by step.

"I was standing in front of City Hall between the hundreds of demonstrators and a line of police at the top of the steps.

"I was with a group of reporters. We asked the officers if we could go to the top of the steps and they said it would be all right.

"I was the last in the group to pass through and one of the policemen at the bottom of the stairs—he didn't even hear us ask to move up—grabbed me by the arm.

"I told him I was an accredited reporter and could produce my credentials.

"He said he wasn't interested in any credentials and shoved me in the paddy wagon and locked the door."

Off she went to the station, she said, booked on the charges and "put into the cage."

"Then the officer at the desk asked if I could identify myself and I produced my New York press cards," she said.

"I was told I would have to put up $100 or get someone to vouch for my parole," she continued. 'The city editor of the Times-Picayune identified me and I was released."

A court appearance is scheduled for 9 a.m. Thursday.

Miss Egginton, a newspaperwoman 17 years and stationed in New York for three, got up to leave as a newsman asked if she would fight the charges.

"Am I?" she replied. "I'm on my way to get a lawyer now.'

AP Wirephoto

**FIREMEN TURN HOSE ON HARDY MARCHERS IN NEW ORLEANS**
**Stopped From Converging On School Board To Protest School Integration**

# Board Okays Mixing Plan In Louisiana

The Montgomery Advertiser
Montgomery, Ala.
Fri. 11-11-60

NEW ORLEANS, La., (AP) — The New Orleans School Board, climaxing a dramatic day of federal-state maneuvering, Thursday night approved integration of five Negro first-grade girls into two of the city's segregated schools.

The five-member board voted 4-0 in favor of the move. It acted only a few hours order.

after U.S. Dist. Judge J. Skelly Even while the New Orleans Wright issued a temporary re-Board met, two U.S. Marshals in-straining order handcuffing a state terrupted the session to serve legislative committee which had restraining orders on the board school control of the 95,000-pupil members.
system. One board member INSURE COMPLIANCE
was absent.

The restraining order included At the capital in Baton Rouge, state officials, as well as the leg- Chairman Frank Voelker of the islative committee and school Sovereignty Commission board members were served to at a secret strategy meeting insure their compliance with in his commission. Wright't original integration

Also attending were the Joint laws applying to the schools or Legislative Committee on Segrega- interfering with the operating of tion and the District Attorneys New Orleans public schools. Association.

ORDER ORDER Board President Lloyd J. Rit-

"We discussed the whole situa- tiner said the names of the five tion from top to bottom," Voelker students would not be made public after the meeting. "We'll be prior to their integration Monday. doing some more tomorrow, but He said the board has not even all this group, though." decided if the names of the

He said the school board's inte- schools will be made known. gration action "was not entirely Prior to their meeting — unanticipated." There was no guarded by two New Orleans city comment. Gov. Jimmie H. policemen in plain clothes at the Davis also had no comment. room's door — school board at-

Wright later signed another torney Sam Rosenberg told board temporary restraining order. It members the federal restraining order prevents the board from against all Louisiana district at- taking any action toward excut- torneys, sheriffs, mayors, police ing Louisiana's newly passed and state officials from ar- batch of school segregation laws. resting or instituting any criminal "You have absolutely no alter- proceeding against U.S. marshals native except to comply," Rosen- or other state officials in the berg said. "You are the legally performance of their duties. constituted and elected body

Atty. Hepburn Many known as the Orleans School filed the action to protect Board."

Negroes attempting to serve Matthew Sutherland, who ran officials with the restraining against three staunch segrega- orders. A new segregation law tionists in Tuesday's election and makes it a crime to serve a cita- won re-election by a landslide, tion connected with an integration was present at the meeting.

This board had been superseded by a committee of the Louisiana Legislature in an effort by the lawmakers to block use of the pupil placement plan by the school board. Dr. James Redmond, superintendent of New Orleans schools, has recommended that the board admit five Negro first-grade girls to two New Orleans white schools next Monday.

Judge Wright set Nov. 18 as a date for a hearing on Thursday's restraining order against state officials. It was Wright who ordered first-grade integration in New Orleans.

A three-judge court will convene for the Nov. 18 hearing.

Wright's move came after a group of citizens filed to explode the state's last-ditch arsenal of segregation laws and place schools back in the hands of local officials.

TEMPORARY ORDER

Charles E. Richards, representing the citizens, asked a temporary restraining order to prevent the state from interferring with operations of the Orleans Parish school board. Richards acted a few hours after the Legislative committee took over the physical operations of the city's public schools.

The suit supplements an original action filed in August against Gov. Jimmie H. Davis, Att. Gen. Jack Gremillion and other state officials.

Thursday's action adds as defendants the eight-man legislative committee that now controls the 95,000-pupil city school system. Also named as defendants are Public Safety Director Murphy J. Roden, Maj. Gen. Raymond H. Fleming, adjutant general, State Education Supt. Shelby M. Jackson, State Comptroller Roy R. Theriot and members of the State Board of Education.

NEW ORLEANS (NOVEMBER, 1960)

# Federals Lift New Orleans Race Barrier

The Montgomery Advertiser
Montgomery, Ala.
Tues. 11-15-60

NEW ORLEANS (AP)—Four Negro girls, protected by U. S. marshals, entered first grade classes in two formerly white New Orleans public schools Monday, breaching a racial barrier that had lasted since Reconstruction days.

There was no physical resistance to actual integration in the Deep South's largest city despite the presence of 75 state policemen working for the Louisiana Legislature.

Nor was there violence among the racially-mixed crowd hovering outside the schools. The whites booed and jeered when the marshals took the girls and their parents into the buildings. They cheered and applauded as white parents started taking their children out.

One Negro girl was taken to the William Frantz elementary school. As she went in, a white woman in the crowd yelled again and again: "They ought to take Judge Wright out and hang him by his toes."

ISSUED ORDER

It was U. S.Dist. Judge J. Skelly Wright who issed the original desegregation order last May.

Three cars took three Negro girls to the McDonough 19 school. As they went in, a white woman screamed: "Those black x x x I'm going in there and get m children (sic) out. I'm no nigge lover."

She rushed into the three-story grey stucco building and came ou with her child. White spectators cheered.

But even as integration was taking affect, the state was taking legal action to halt it.

Civil Dist. Judge Luther Hall in New Orleans signed an order asked by the state against four members of the five-member New Orleans School Board.

FOUR RESTRAINED

The order restrained the four from taking any action "whatsoever in interfering in any way with the operation of the school system by the legislature." Hall set Nov. 18 for a hearing.

In Baton Rouge, Civil Dist. Judge Fred Leblanc signed a temporary order sought by two private citizens restraining the New Orleans school board from using any money. It was filed by George Singlemann and Lewis Doherty Jr. as citizens and taxpayers.

An angry legislature, meeting in special session at Baton Rouge, ousted the four Orleans Parish School Board members who complied with the federal order to integrate. Only Emile Wagner Jr., a segregation leader, was not named.

OTHERS ANGRY

The people outside the school, kept across the street by city police, were also angry.

One Negro girl, wearing a white dress and with white ribbons in her hair, drew boos at the Frantz school.

"The niggers are going to take over. They're going to run us all out of here," one spectator yelled.

William Frantz is located in a workingman's neighborhood in east New Orleans. McDonogh No. 19 is located on a busy avenue in the center of the city.

City police blocked off a two

(Continued From Page 1)

block area around Frantz. The city's police superintendent, Joseph Giarrusso, said police were there strictly to preserve order.

The three Negro girls left McDonogh at 2:45 p.m., picked up in three cars by federal marshals.

"You better not come back tomorrow," someone in the crowd—swelled to 400 at school closing—yelled as the cars pulled away.

The one Negro girl at the Frantz School left promptly at 2:30 p.m. in a car driven by a federal marshal.

YELL FROM CROWD

"Go home, nigger," came a yell from the crowd, but there was no other incident or demonstration from the crowd lining the sidewalks.

Giarrusso said his police department would take "necessary precautions" and indicated the guard at the schools would last as long as needed.

School Board President Lloyd Rittiner told newsmen he believed "the worst is over" and the lack of any "appreciable amount of demonstrations indicates the people of New Orleans are going to accept the inevitable."

School Supt. James Redmond said the attendance at McDonogh 19—which has a normal enrollment of 467—was 94 at 8:30 a.m. and dipped to 40 at 1:20 p.m. At Frantz—its normal enrollment 576—attendance at school's opening was 105 and dropped to 50 at 1:20 p.m.

TREATED AS TRUANTS

As to those who skipped school Monday, Redmond said, or who were withdrawn, they will be treated as truants and "we'll figure out what to do about that tomorrow."

AREA BLOCKED OFF

After the actual integration of the schools, white pupils began withdrawing. An estimated 75 pulled out of Frantz in the 90 minutes after the lone Negro girl entered the building.

Six-year-old Theresa Ann Johnson, one of the white first-graders at McDonogh 19, said only three or four white children were left in her room. A couple of these were crying, the little girl said.

STAY IN THEIR PLACE

Theresa Ann is the daughter of Mr. and Mrs. George S. Johnson, who withdrew their three children from the school after Monday's integration. Mrs. Johnson said she didn't plan to return them to the school Tuesday.

Of Negroes, she said: "I don't

hate them, but I think they should stay in their place."

Cheers and applause greeted each mother as she emerged from the building with her child or children.

The legislature met in special session in Baton Rouge in an uproarious session high lighted by an apparent determination to continue to fight to undo the mixing of races.

The legislature also called on the Louisiana delegation i Con- The call for this conference came amid yells os "Hitler storm troopers" and "Let's go to jail."

Rep. Welborn Jack of Caddo Parish questioned the sanity of Judge Wright, the jurist who issued the original court order making integration in New Orleans schools mandatory.

**SELECTED FIVE**

Under federal restraint, the New Orleans School Board agreed to use of the pupil placement law, selected five of 137 Negro first graders seeking entry into white schools. There was no official word, but there was wide assumption the fifth girl's parents decided against exposing their child to possible violence.

"I just can't see," said Jack, "That a man will do what he (Wright) is doing. I don't see how he is entirely mentally right."

Rep. John Lewis from Beauregard Parish in southwest Louisiana yelled: "If we have to go jail, let's go to jail."

Shortly before noon, U.S. Atty. Hepburn Many visited McDonogh 19 briefly. "As far as I can see," he said later, "the school is running as normally as possible in this situation."

**BOOS, CATCALLS**

At Frantz School, Many's visit drew boos and catcalls.

He declined to disclose federal plans for escorting the four Negro girls to school Tuesday.

# Louisiana Fights Integration Tide

The Christian Science Monitor

Boston, Mass.

Mon. 11-14-60

*Special to The Christian Science Monitor*

New Orleans

The chaotic school situation seething in New Orleans features a defiant State Legislature which has locked horns with the federal courts in a bewildering series of moves and countermoves.

At stake is the question of whether Negro children will be admitted to a previously all-white school. Federal Judge John J. Skelly Wright had direct that the integration of first-grade students take place Monday.

The Orleans Parish School Board, thorn in the side of and prime target of a rampageous State Legislature, has ordered the placement of several Negro girls in the first grade of two white schools.

[Four Negro girls, trudging through yelling spectators entered two New Orleans elementary schools Monday despite state resistance, the Associated Press reports.

[There was no violence as the little first graders entered the schools—first of their race to attend white public schools in New Orleans since the days of the reconstruction after the Civil War.]

## Girls Enter

Sunday night, harassed school principals found themselves between conflicting forces. They received telegrams from Dr. James F. Redmond, superintendent of Orleans Parish schools, that schools would be open and they were expected to report for duty. And they also were admonished by wires from legislative spokesmen warning them that such action would be in defiance of legislative edict, which had decreed closed schools for Monday.

Most recent action in the complex of litigation was taken by Judge Wright late Sunday night. He enjoined the entire Legislature from taking any action which would oust the board from operation of the schools.

He forbade the employment of sergeants-at-arms; nullified legislative dismissal of Dr. Redmond and Samuel I. Rosenberg, school board attorney; and declared null and void the school holiday pronounced by State Superintendent of Education Shelby M. Jackson, and later by the Legislature when Mr. Jackson was declared in contempt of court.

## Clash Looms

Meanwhile, confusion was rampant among New Orleans parents as well as teachers. Even before the announced holiday, many had voiced apprehension at the explosive situation and said they would not send their children to school Monday.

The confusion was heightened Sunday with the proclamation of the statewide school holiday by the Legislature, and its subsequent reversal by the school board. Said a school official early Monday, "I doubt if we'll have one-third student attendance today. Things are hopelessly fouled up."

Though legislators and other participants in the all-out battle to preserve absolute segregation gave lip service to their abhorrence of violence, events seemed to be moving inexorably in that direction.

The burning question was: What will the federal courts do to counteract the presence of state-directed sergeants-at-arms at the schools?

## Last-Ditch Fight

Few observers were willing to rule out the threat of a clash between federal marshals assigned to insure admission of Negro students to white schools and the state forces ordered to prevent it.

Integration already has been effected with little fanfare at higher educational levels. LSUNO (Louisiana State University in New Orleans) has successfully mixed white and Negro students without major incident.

In 1958 the long-standing Jim Crow laws were abolished on public transportation facilities. Here again integration was effected smoothly and with signal lack of violence.

It is only in the field of school integration that the state has decided to make a last-ditch stand against what it charges is flagrant federal encroachment of states rights.

The Orleans Parish School Board, reflecting the overwhelming sentiment in New Orleans for continued segregation, has for six years sought to circumvent federal court orders abolishing segregation. It wasn't until Judge Wright decreed gradual integration beginning in the first grade, to be effected Nov. 14, that the board took positive action.

The board, taking the position that compliance was unavoidable, chose token integration in the form of pupil placement. Acting under a legislative act imposing numerous criteria for admission, it finally certified the five unidentified Negro girls.

Subsequently, Gov. James H. Davis sought to assume functions of the board, but a federal court order enjoined him from interfering. Then the legislature met in special session beginning Nov. 5 and enacted an avalanche of 28 bills, all aimed at keeping the schools rigidly segregated.

It voted unanimously to invoke the principle of interposition and appointed an eight-man legislative committee to supersede the Orleans Parish School Board and operate the schools on an open and segregated basis.

Here again Judge Wright enjoined the committee and restored the board to power. Another legislative session was called by Governor Davis, Sunday night, and the entire Legislature directed itself to take over board operations, fire the two school officials, and place the sergeants-at-arms at various schools to thwart Negro admissions.

## Straw in Wind

The Legislature also reiterated Superintendent Jackson's decree of school closure Monday. Judge Wright immediately retaliated by enjoining the committee on each piece of legislation.

What is the position of New Orleans parents caught in this maelstrom of attack and counterattack?

When the issue was put to a vote earlier this year, parents voted overwhelmingly to close the schools rather than submit to integration. But that was considered merely an academic preference for continued segregation.

A straw in the wind was the healthy vote accorded a school board member, Matt Sutherland, who came up for reelection last week. He rolled up a majority of 7,000 over the combined vote of three opponents, all of them avowed segregationists.

14d(1) 1960

LOUISIANA

NOV. 1960
NEW ORLEANS

# Four Negro Girls Answer Bell

The Christian Science Monitor
Boston, Mass.

# New Orleans School Recess Over

Special to The Christian Science Monitor

**New Orleans** plans are in the works to set up another "school for refugees" from integration, thus a one-week virtually assuring that the entire public white student bodies will be taken care of.

And so the emerging master plan of the segregationists, who have been thwarted repeatedly by nullifying action of the federal courts, is to strip each integrated school of every white child.

**End: No Schools**

Said Armand Duvio, president of the "Dad's Club" at Frantz assertedly dissolved itself last week, "Frantz is not an integrated school. It's an all-Negro school."

Continued Mr. Duvio:

"Our plan is to remove the children from public schools as they are integrated, and then, God willing, the Legislature will close the public schools and the Negroes can go find their own education."

Meanwhile, New Orleans schoolteachers, trapped between a rebellious Legislature and the federal courts, breathed easier upon assurance from the Legislature it would pay them their salaries, due last Roman Catholic parents and prepared to resist impending integration of the parochial schools. Archdiocesan authorities have indicated that integration is just around the corner, and numerous Catholic lay leaders, emboldened by legislative defiance of the federal courts, have pledged an unremitting battle to block it, even to the point of withdrawing their children from integrated Catholic schools.

**Identity Withheld**

An ironic turn of events is the reluctance of school authorities to disclose the identities of the five white children who on Friday, Nov. 18, when the schools were closed for a scheduled week's holiday, were doggedly attending integrated schools. The authorities had previously declined to identify the four Negro students, on the reason given in both instances was the same fear of reprisals on the children or their parents.

Whatever turn the school crisis may take in the days to unravel some of the complex ahead, one fact was undisputable:

They viewed the limitation placed on the governor and the Legislature as especially significant. They said it might resolve the cant. They said it might resolve a classic dilemma of Southern to school boards who find themselves helplessly entrapped in between state and federal power.

The strongly-worded, 17-page decision dealt with three cases argued Nov. 19 before the panel—Chief Judge Richard T. Rives of the Court of Appeals for the Fifth Circuit and Chief Judge Herbert W. Christenberry and Judge J. Skelly Wright of the District Court here. Judge Wright handed down the original desegregation order May 16.

Despite the legal action, there has been only technical compliance with the order. No white pupils have attended McDonogh No. 19 school this week with the three six-year-old Negro girls enrolled there.

**ONLY 2 WHITES**

Only two whites reported for classes Wednesday at William Frantz school with the fourth girl. The two institutions have a normal attendance of 1,000 pupils.

A group of segregationists, mostly mothers, swarmed around Frantz for the second day in an attempt to enforce a complete white boycott.

The Rev. L. A. Foreman slipped his 5-year-old daughter, Pamela Lynn, into a back entrance. When this, they flocked to his home. demonstrators discovered they spat on his lawn and shouted insults at the Methodist pastor when he emerged.

He removed the child from school almost unnoticed when kindergarten classes ended shortly before noon. The mothers again gathered in front of the house to yell epithets.

**JEERING, CURSING**

The other white parent, Mrs. Orlando Gabrielle, was not so lucky. She arrived late at the white school with her first grade daughter, Yolanda, after the segregationists had dispersed. But they were waiting outside her apartment in a low rent housing project Wednesday afternoon when she emerged for the walk to the school.

They followed her, jerring, cursing, and spitting.

Associated Press Wirephoto

**Gov. James H. Davis**
**Inaccessible**

The storm threatens to break this week, as a new horizon integration crisis.

# Gov. Davis Told Not to Interfere

The Atlanta Constitution
Atlanta, Ga.

By CLAUDE SITTON

(Copyright 1960, the New York Times Co.)

NEW ORLEANS, La.—A three-judge Federal District Court ruled Wednesday to suspend school desegregation here and struck down state laws designed to thwart the process.

The panel then enjoined more than 700 state and local officials—including the Legislature and the Governor—from any action that would close virtually every avenue of escape from compliance with the Supreme Court's 1954 desegregation ruling.

A Pandora's box of hatreds, jealousies, suspicions, and apprehensions had been unloosed on this normally tolerant and easy-going city. Racism has transcended the issue of white versus Negro. Now it has pitted neighbor against neighbor.

This week looms as a momentous one in the integration struggle. Gov. Ross Barnett (D) of Mississippi said he had been invited to an integration strategy session of Southern governors in Baton Rouge Wednesday. Louisiana Gov. James H. Davis (D), who has made himself almost inaccessible to newsmen in recent weeks, has denied any knowledge of such a meeting.

Mr. Perez, architect and ramrod of much of the segregation strategy, has demanded equal time on CBS television's "Face the Nation" to answer New Orleans Mayor de Lesseps S. Morrison, who last week in an interview spoke disparagingly of his arch foe.

The Louisiana Teachers Association, in annual session at Baton Rouge last week, clamorously endorsed legislative action to retain segregation. steamrollering provocative resolutions over pallid opposition.

There are even rumblings in the Legislature, which began a 30-day session Sunday night, of a move to withhold the state's 10 electoral votes from President-elect Kennedy.

"It is only insofar as the lawmakers purport to act as administrators of the local schools that they, as well as others concerned, are sought to be restrained," said the ruling.

This nullified the Legislature's ouster of the Orleans Parish School Board and Legislature's assertion of control over the schools.

The Judges reaffirmed the necessity and the right of the board to carry out a desegregation plan in which four Negroes were transferred to two white schools on Nov. 14.

Legal observers believed that the sweeping decision, if upheld, would close virtually every avenue of escape from compliance she ect Wednesday afternoon when

Gov. Jimmie H. Davis, from further interference.

Jack P. F. Gremillion, state attorney-general, said the decision would be appealed to the U.S. Supreme Court later.

The Orleans Parish School Board told its attorney, Samuel Rosenberg, to appeal the decision to the highest court. It wants to get a $12 million bank loan to pay its teachers in the months to come.

The judges voided an interposition act, which the state had argued prevented implementation without an amendment to the federal Constitution. The act was the first statutory attempt in the South to invoke that doctrine in the school controversy.

The lawmakers' claim of "legislative immunity" was brushed aside. The judges pointed out there was no effort to restrain the Legislature from legislating.

U.S. court approves 12-year, stair-step plan on integration for Dallas schools. Page 2. New Orleans ruling knocks out several "last-ditch" proposals. Story on Page 6.

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
TUSKEGEE INSTITUTE

NOT TO BE PUBLISHED OR REPRODUCED PHOTOGRAPHICALLY WITHOUT PERMISSION OF THE OFFICE OF DEVELOPMENT, TUSKEGEE INSTITUTE, TUSKEGEE INSTITUTE, ALABAMA

0840

ing and yelling profane threats in her ears throughout the four-block trip. The police looked on but made no attempt to interfere.

A crowd estimated by newsmen at 400 persons lined sidewalks outside the school when she came out. Another roar of boos and profanity went up.

**MOTHER PUSHED**

As she passed a knot of mothers clustered on a nearby lawn, several of them closed in and pushed her. Three policemen roughly shoved the demonstrators aside. Mrs. Gabrielle and her daughter continued on to their home to the jeers and insults of the crowd.

Meanwhile, teachers and other employees began receiving pay checks, a week late. The school board's operating funds have been tied up as the result of the Legislature's actions but the lawmakers approved a plan under which the state is paying the teachers directly.

A chain telephone campaign was started to pay the salary of Dr. James F. Redmond, the New Orleans school superintendent. The Legislature discharged him in an action not recognized by the school board. At his office and home, the post office delivered hundreds of enveloeps, each containing a $1 bill.

A plan to set up co-operative classes for white pupils boycotting the desegregated schools received a boost from legislators. They contributed $50 each from their salaries.

*The Louisiana Segregation Story*

# School Fight Intertwined With State Politics

The Washington Post Washington, D.C. Sept 24 1960 P22

By John Corporon
Special to The Washington Post

NEW ORLEANS — Louisiana's fight against public school desegregation has become intricably intertwined with pure state politics.

What began several years ago as a dedicated, if almost hopeless, battle against rising Negro rights has turned into political warfare between extreme segregationist elements and more moderate elements in the state's political community.

Extreme segregationist legislation popped up in 1956, but at nearly every turn Gov. Earl Long, a strong segregationist himself, exerted his power and blunted most extremist drives.

**Long Backed Davis**

In early 1960, Jimmie Davis, who has a master's degree and who taught school before making a fortune singing, was elected Governor. His defeat of Mayor deLesseps Morrison of New Orleans occurred mainly because the vocal, outspoken and organized segregationist factions, including the white Citizens' Councils, united behind Davis.

Long supported Davis and helped pin the "integrationist" label on Morrison. In other campaigns, the same label had been tacked on Long because he, like Morrison, was popular with Louisiana's 160,000 registered Negro voters.

Morrison is an avowed segregationist, but he is sympathetic to Negro strivings.

When Davis won the Governor's race he owed a political debt to the arch segregationists. His debt to Long was canceled by the former Governor's death.

**Welfare Vote Target**

Before Long's death the Legislature moved against a cornerstone of Long's strength, the welfare vote. Legislators, too, were looking ahead to 1964 and they shuddered at the prospects of Long or Morrison for Governor.

With Gov. Davis' help, the legislature passed laws which struck 23,000 illegitimate children from welfare rolls. At the same time new laws decreed that a person living in a common law marriage status could be prevented from registering to vote. The laws were aimed squarely at Negroes, although a few thousand whites were also affected.

With Louisiana's great time of trial at hand several state politicians emerged who wanted to be known as "Mr. Segregation," a good label if one gets swept into the governor's race.

United Press International

**Mothers of white pupils look on as Negro children enter McDonogh 19 School in New Orleans for their second week of desegregated classes. No whites attended.**

State Attorney General Jack Gremillion stepped up his attacks on the Supreme Court and on Mayor Morrison. He denounced the Negro bloc vote and urged all right thinking politicians to do the same.

He helped the Governor and Legislature draft hosts of new segregation laws last summer. When that legislation was struck down by a three-judge Federal court in August, Gremillion cried that the judges, operating in a "den of iniquity," were running a "kangaroo court."

He was slapped down with a contempt of court citation. When he pleaded no contest and received a probationary suspended jail term he burst into tears in open court. Since that day he has become extremely circumspect in his dealings with the Federal judiciary.

**Desegregation Postponed**

U. S. District Judge Skelly Wright permitted desegregation to be postponed from September to Nov. 14 because the New Orleans school board had temporarily lost control of schools to Gov. Davis.

Between the time of Gremillion's encounter with the court and Nov. 14 the legislature was called into two special sessions by Gov. Davis to pass new legislation to halt desegregation.

Newspaper headlines of Nov. 12 showed how successful the new effort was. Two New Orleans schools were desegregated with entry of four Negro girl first-graders. White pupils boycotted all grades.

On the eve of desegregation a new figure stepped onto the segregation stage. He was State Superintendent of Education Shelby Jackson, who is elected state-wide and who has gubernatorial ambitions. He stopped boldly by proclaiming Nov. 14 an all-state school holiday.

**Court Cites Jackson**

Judge Wright exempted New Orleans from the holiday and cited Jackson for contempt of court for attempting to interfere with the court's order to desegregate.

Jackson, who has helped raise teachers pay and standards, stood in awe for a few days. But last week he used his influence to get a white state teachers convention to adopt resolutions denouncing Judge Wright and urging public support of the Governor and Legislature.

Jackson's contempt trial comes up Wednesday.

Because Mayor Morrison and his New Orleans police force maintained order during the teen-ager demonstrations the week before last, he has been roundly denounced by many legislators. He is accused of courting the Negro bloc vote and of joyfully carrying out court ordered desegregation. Actually, the police have had no hand in placing the Negro students in schools.

Attacks on Morrison come largely from factions which opposed him in the governor's race and who fear he may undertake to run again in 1964.

Sen. John F. Kennedy's strong majority victory over Vice President Richard M. Nixon and a States Rights unpledged elector movement not only caused Morrison, a Catholic, to look with new zeal at 1964, but it also made his enemies believe the Mayor just might have a chance to succeed Gov. Davis.

Thus, after actual desegregation occurred, Morrison shared honors with Judge Wright as the most vilified man in Baton Rouge. Both are native Louisianans.

**Governor Is Uncertain**

Gov. Davis, who has not granted a news conference in many weeks, apparently has mixed feelings on the current school crisis and on the attacks leveled at Morrison, his political foe, and Judge Wright.

Davis told a prominent labor leader that he believed in this segregation fight he was building a monument to himself. He believed he would be revered as one of the great states-righters of his period.

(The AFL-CIO of Louisiana has taken strong exception to any step which would close schools.)

**Opposes Closing Schools**

Some have argued that Davis was opposed to any steps which might close schools. He has stated publicly that he does not foresee school closing.

Yet, his floor leaders have pushed through legislation which could close schools in all of Louisiana. Without his okay, such legislation could never have passed. Louisiana Governors, as in few other states, have almost iron control of the legislation during the first year or two of the Governor's term. The control is exerted primarily through patronage and state business.

# TWO WHITE PUPILS IN FRANTZ SCHOOL

The Times-Picayune Pg 1

## Come at McDonogh 19; 400 Go to St. Bernard

New Orleans, La. 11-29-60

Four Negro children and two white children attended classes Monday in previously all-white McDonogh No. 19 and Frantz Elementary schools.

**The two white children attended Frantz with a lone Negro first grader. The boycott of McDonogh 19 by white parents was total, only the three other Negro children receiving instruction.**

The schools had an enrollment of 1038 white children before Nov. 14, when they were desegregated by federal court order.

**More than 400 of the former students of the downtown elementary schools Monday attended classes in segregated St. Bernard parish public schools.**

Two chartered busses transported them to Arabi, Carolyn Park and St. Claude Heights schools.

Except for the congregations of parents and children at the two integrated schools, where the children boarded the chartered busses, things were quiet at Frantz and McDonogh.

**CROWDS SMALL**

The crowds of adults at the schools protesting the transfer of the Negro children were the smallest and quietest since the desegregation.

Police details also were small, more than adequate in light of the calm.

**In the Orleans parish public school system as a whole, attendance was sharply up from the average during the Nov. 14-18 week.**

Of the 36,726 enrolled in all white schools, 31,647 students were in attendance, 5079 absent.

More than 12,000 were absent during one day of the first week of integration.

Dr. James F. Redmond, superintendent of Orleans parish schools, said the attendance record was "typical" for a day after an extended holiday.

Schools were closed all last week because of a teachers' convention and the Thanksgiving holiday.

**NO PROMULGATING**

Other developments in the school situation included a statement from Secretary of State Wade O. Martin Jr. that an act of the state Legislature prevents him from promulgating returns of the Nov. 8 school board election in Orleans parish.

That election returned Matthew R. Sutherland to the school board. He voted along with three other members for use of the pupil placement plan which transferred the four Negro children to McDonogh 19 and Frantz.

Redmond said on Monday that the pupil placement program also resulted in white children being denied transfers to other white schools.

New Orleans, La.

**Meanwhile the public awaited rulings by a three-judge federal court on the state's interposition plea, the school board's request for a delay in integration and a citizens' suit to prevent state officials from taking control of the schools away from the school board.**

**Jackson ask the federal court to dismiss a contempt citation against him. Sec. 1, Page 7.**

**Secretary of State Wade O. Martin Jr., says he cannot promulgate returns of New Orleans school board election. Sec. 1, Page 7.**

**State audit finds no illegal use of Orleans school board funds in transfer between legislative account and school board. Sec. 1, Page 8.**

Counsel for state Supt. Shelby M. Jackson also in federal court on Monday, counsel for state school Supt. Shelby M. Jackson asked for dismissal of a contempt citation against him.

Federal Judge J. Skelly Wright, who issued the integration order and a subsequent one enjoining state officials from interfering with the order, cited Jackson for contempt when he declared a statewide school holiday Nov. 14.

**PRIVATE SCHOOL PLANS**

Most of the New Orleans students transferred to St. Bernard schools were fourth, fifth and sixth graders.

Meanwhile parents proceeded with plans for private co-operative schools for the lower grades.

**Armand Duvio, head of a parents co-operative organization, said that private classes for the younger children would be available "by Christmas time."**

He said that a group of plumbers (Duvio himself is a plumber) had contributed $250 to cover the cost of the two chartered busses for this week.

On Monday they transported 79 children from McDonogh 19 and 104 from Frantz school. Other former students there went to their St. Bernard parish schools by other means.

St. Bernard Sheriff Nicholas P. Trist established deputy patrols to direct traffic at the three schools accepting the students from New Orleans.

**TEACHERS HIRED**

St. Bernard school Supt. Joseph J. Davies Jr. said that adequate space, books and supplies were available to the new students and that 11 new teachers were employed to handle the increased enrollment.

New Orleans teachers and other school employes still waited for their pay checks due on Nov. 23. The Legislature said their pay checks will be available Wednesday. The Legislature agreed to pay these salaries after the Orleans school board announced it was without funds to meet the payroll.

Discussing the pupil placement plan, Redmond said the school board applied the same criteria to all pupils — white and Negro — applying for transfers.

**He said in a report to the school board that 33 of the 46 white pupils who applied for transfer to other white schools were denied the change either for failing to comply with established procedure, lacking learning aptitude equal to classes to which transfer was sought, or already overcrowded conditions.**

For the same reasons 13 of 15 Negroes applying for transfer to other Negro schools were turned down.

Redmond reported also that one white child had sought admission to a Negro school but that the request was turned down because the parents had not complied with established transfer procedure.

The Negro first grader in Frantz school was not in the same grade level with the two white children and so was in a classroom apart from the others.

# Police push path through angry women

The B'ham News

B'ham Ala.

Wed. 11-29-60

NEW ORLEANS, Nov. 29 —(AP)—Police jostled a path through angry, yelling white mothers today so a Protestant minister could escort his 5-year-old child into an integrated New Orleans school.

Blockading mothers harangued two white mothers who had taken their children into William Frantz School, beat and kicked the women's car in frustration as the pair drove off.

"They shuold beat her 'til she can't stand up," screamed on woman.

**Despite the human barrier, the boycott at William Frantz School weakened. Two white children went to that school with the one Negro first-grader yesterday. Four entered and stayed classes today.**

THE BOYCOTT held firm at the other integrated school, McDonough No. 19. School officials said no white child sohwed up for today's classes.

A 10-woman committee visited the home of a white mother who insisted on sending her child to William Frantz.

The committee refused to discuss the interview with the balking mother.

"All of us mothers are going to have to stick together," said one committeewoman. "We're going to get the job done."

**The impassioned blockade may well be a major strategy of segregationists in the school fight. A 1922 Louisiana law says a school with an average attendance of 10 or less may not be kept open.**

THE ONLY WAY, the law holds, that a school this size may be kept open is for a special school board ruling. That ruling must be approved by the State Board of Education.

A young white Methodist minister, the Rev. Lloyd Foreman, incited most of the wrath of the mothers. His daughter attends the William Frantz kindergarten.

They screamed questions and insults at the minister as he stood with a protective arm about his daughter befor epolice cracked the picket line.

**In the pattern of events since integration began in New Orleans public schools two weeks ago, white spectators jeered and hooted as U. S. marshals accompanied the four Negro students into the two schools.**

A COLD WAVE that tumbled the temperature into the 50s tempered the staying powers of the picketing mothers. An hour after school opened, the number of blockading mothers had dwindled to a handful.

The women pickets, failing to keep four white children from entering the school, spotted two white mothers a block from the school.

They surged to them, arguing and yelling. The two besieged mothers stood by their car and argued back. The language was not delicate.

**Finally, the pair of mothers—yelling they had a right to put their children into any school they wished—got into their car and drove off.**

NO ONE TOUCHEM THEM.

While fresh tension and physical action marked school opening, a mass exodus of white pupils of William Frantz and McDonogh No. 19 to nearby St. Bernard Parish (county) schools continued.

Armand Duvio, a parents' spokesman at William Frantz, said fourth, fifth and sixth graders of both integrated schools, were taken by bus for thes econd day to St. Bernard.

**Collections for establishment of a private school for first, second and third grade pupils hit $9000, he said.**

THE PARTIALLY shattered truce remained uneasy while the city awaited a ruling by a three-judge federal court on a plea to suspend racial integration in New Orleans schools and to abandon the idea all together.

The two previously all-white elementary schools which dropped racial barriers Nov. 14 to admit four first grade Negro girls were virtually segregated again yesterday as classes started after a week-long holiday.

ELSEWHERE in the city's schools, truancy and absence dropped to nearly normal for a Monday. The 11 per cent citywide absenteeism included the 99.9 per cent boycott of Frantz and McDonogh.

MEANWHILE a hearing was scheduled at 11 a.m. CST today in a state Civil District Court on segregationist school board member Emile A. Wagner's attempt to get the names of the four Negro children from School Supt. James F. Redmond.

Wagner has boycotted sessions of the five-man board recently. The other four invoked the pupil placement plan for token integration after being ordered to start classroom mixing by U. S. District Judge J. Skelly Wright.

Wright is one of the three judgestion, and (2) to abandon plans to who are expected to hand down their ruling shortly no motions to: (1) temporarily suspend integra-

# BOYCOTT WORKS IN NEW ORLEANS

## Only 2 White Pupils Attend One Desegregated School and None the Other

By CLAUDE SITTON

Special to The New York Times.

NEW ORLEANS, Nov. 28—Two public elementary schools began their second week of technically desegregated classes today. A small police guard stood by, but there were no incidents.

As a result of a white boycott, only three Negro pupils attended one school and one Negro and two whites the other. The institutions have a normal combined enrollment of 1,000.

The Legislature, meeting in special session at Baton Rouge, took a new tack in its efforts to reverse desegregation. It adopted resolutions urging an amendment to the United States Constitution to guarantee state control of education.

A three-judge Federal District Court is expected to hand down a decision soon on the state's attempt to interpose its sovereignty between the Federal Government and the people.

Legal circles believe the panel will reaffirm a District Court desegregation order, and declare that further attempts to interfere with it will not be tolerated.

Four 6-year-old Negro girls were admitted Nov. 14 to McDonogh No. 19 and William Frantz schools under orders from Federal District Judge J. Skelly Wright. This marked the first desegregation below the college level in Louisiana.

White attendance at the schools has dropped sharply because of the boycott, led by members of the Citizens' Council of Greater New Orleans. Pressure has been brought on those parents who did not remove their children voluntarily.

C. E. Vetter, a council leader; two men and a small group of women hecklers watched at McDonogh this morning to see if any whites entered.

### Arrive and Depart

At William Frantz, two children were picked up after having arrived for classes and driven back to their homes. The adults who took them away reportedly said they would tell the pupils' parents to enroll them in public classes in adjacent St. Bernard Parish (County).

Two women standing near the school threatened a Roman Catholic priest, the Rev. Jerome A. Drolet. He had accompanied the Rev. Lloyd Foreman, a Method minister, to the school to pick up Mr. Foreman's son, one of the two whites in attedance.

More than 400 whites transferred to three St. Bernard schools during the week-long Thanksgiving holiday just ended. Plans are expected to be announced soon for private, cooperative classes for other pupils from the desegregated schools.

Joseph J. Davies Jr., superintendent of St. Bernard Parish schools, said the transfer pupils had been placed in classrooms that had not been in use and that eleven new teachers had been hired.

Under questioning, he conceded that the parish had submitted a tentative school budget with a deficit of $159,000. Deficit financing for education is contrary to state regulations.

Mr. Davies said he hoped the Legislature would restore funds removed by a recent state-wide cut. However, he said, "we are not going to permit the coming of these people to affect our normal progress."

The decision to accept the transfer pupils, according to him, was made at "an informal meeting" last Tuesday of the parish school board, education officials and Leander H. Perez.

Mr. Perez is District Attorney of St. Bernard and Plaquemines Parishes and a key leader in the state's resistance to desegregation.

In reply to questions, Mr. Davies noted that District Attorneys in Louisiana serve as legal advisers to their parish boards.

A related incident in the parish saw thirty-five Catholics walk out of Our Lady of Prompt Succor Church at Chalmette yesterday.

The Rev. Paul R. Moore, the pastor, said the protest stemmed from a sermon preached by a visiting priest of the Jesuit order, whose name he did not know.

Father Moore said the priest had read from church encyclicals and Scripture to support a contention that segregation is un-Christian.

The church is only a short distance across the parish line from McDonogh school.

# Police Force Segregationist Mothers Aside

NEW ORLEANS (AP) — Police had to force a path through irate mothers today to allow a five-year-old white girl to attend classes at a recently integrated public school.

The white women formed a barricade to stop the Rev. Lloyd Foreman, a Methodist minister, from taking his daughter into the William Frantz school where a Negro girl attends the first grade. Police led the way through the crowd.

At both Frantz and McDonogh No. 19 — integrated by federal court order two weeks ago—white spectators jeered the arrival of the Negro girls. Federal marshals accompanied the three Negro girls at McDonogh and the Negro first grader at Frantz.

One man carried a Confederate flag that fluttered in the cold morning wind.

The Rev. Foreman's little girl and possibly three to five other white children showed up for classes at Frantz, but none of them are believed to be in the same class with the Negro girl.

Only the three Negroes showed up for classes at McDonogh No. 19 yesterday morning.

An uneasy truce prevailed as the city awaited a ruling by three federal judges on a plea to suspend racial mixing in the schools.

The two previously all-white elementary schools which dropped racial barriers Nov. 14 to admit four first-grade Negro girls were virtually segregated again Monday as classes started after a week-long holiday.

The three Negro pupils were the only students at McDonogh No. 19. At William Frantz, two white students attended along with a lone Negro.

Fourth, fifth and sixth graders were packed off to segregated public schools in nearby St. Bernard Parish under a transfer arrangement set up by the parish's political czar, archsegregationist Leander H. Perez Sr.

### NORMAL ELSEWHERE

Elsewhere in the city's schools, truancy and absence dropped to nearly normal for a Monday.

Police Supt. Joseph I. Giarrusso had only a handful of men stationed at the two schools but he had "ample reserves" nearby in case of trouble.

At McDonogh, a hard core of mothers said they intended to station themselves at the school each day to make sure no other white parents take their children back to school.

Aske dhow they intended to stop anyone determined to re-enter their children, one woman replied: "We'll get them. They just better not try."

"We don't want any violence or trouble," said Mrs. Raymond Arbon, 31. "We just don't want integrated schools."

# Effigy Of U. S. Judge Found In Louisiana

BATON ROUGE, La. (AP) — An effigy of U.S. Dist. Judge J. Skelly Wright stood beside the front steps of Louisiana's State Capitol Saturday.

The figure appeared as petitions circulated here calling for impeachment proceedings against Wright, who ordered integration of New Orleans schools.

A group of teen-agers was seen leaving the area soon after the figure was placed on a pole in a drainage grate.

The figure was labeled "J. Skelly Wright."

On the back was a swastika, symbol of wartime Nazi Germany, and on a piece of paper on the front was the hammer and sickle symbol of the Soviet Union.

The figure held a small noose, which was around the neck of a doll labeled "states' rights."

## White Parents Boycott Integrated Schools

NEW ORLEANS, Nov. 28 (AP) — White parents boycotted two public schools today, condemning four Negro children to virtual segregation once again.

"You've got the whole school to yourself now," yelled a woman as three of the 6-year-old pioneers in Deep South school desegregation entered McDonough No. 19 school.

Seven U. S. marshals ushered the trio into McDonogh and three others accompanied the lone Negro girl who went into William Frantz.

Hooting and jeering spectators numbered about 100 at McDonogh but only about 15 women at William Frantz, the quietest school opening since desegregation began two weeks ago.

A week's holiday for the city's 93,000 public school students watered down the heat of those who demonstrated violently the week before last. Truancy and absence in the rest of the city's white schools dropped to nearly normal for a Monday.

School officials said 5079 of the 729 white public school pupils failed to report this morning.

Police cut down the number of men assigned to the two schools.

But none counted the school crisis over.

At McDonogh, a 3-story building normally bustling with 467 students, three Negro girls sat in their first-grade room with their white teacher. The building resounded to no footsteps or muffled giggles or rustling paper—only the subdued voices of three Negro girls.

At William Frantz, another 3-story building where 571 students normally chatter, one Negro first-grade girl sat alone with her teacher. In kindergarten, a white girl sat. In a higher grade, a second white girl studied.

There were no other white students there.

It was almost as if everyone were marking time—perhaps waiting for a 3-judge federal court to rule on motions to temporarily halt desegregation, and to abandon desegregation plans.

# Boycott Weakens As Irate Mothers Joust With Police

NEW ORLEANS (AP)—Fighting-mad white mothers—vowing a boycott blockade of integrated schools to the finish—jousted with New Orleans police Tuesday. The mothers lost.

Reluctantly, amid yells and screams, the mothers broke their mass picket line under pressure from shoving police. A young white Protestant minister escorted his 5-year-old daughter into William Frantz School.

The daughter of the Rev. Lloyd Foreman was one of four white children to attend the school along with one Negro girl.

A squad of blockading mothers spied two white mothers who had taken their children into the school and swept down upon them.

"They should beat her 'til she can't stand up," yelled one woman during the arm-waving argument that followed.

**BEAT, KICK CAR**

Language became heated. The besieged mothers shouted that they had the right to take their children into any school they wished. As they drove off, pickets beat and kicked the car in frustration.

"We're going to get the job done," said one of the picketing mothers.

The passing of the day did nothing to lessen tempers. Foreman spirited his child out a back door at noon and the mothers sent up a shout of derision after they spotted his car driving away.

A Roman Catholic priest, the Rev. Father Jerome Drolet of suburban Kenner, walked through the crowd at this time. Father Drolet had accompanied Foreman into the school Monday.

A mother yelled: "Communist."

Another shouted: "The Bible doesn't say we have to integrate."

Father Drolet ignored the women. He chatted with police. He voiced the opinion the mothers should not be allowed to block sidewalks or disturb the peace.

**MAINLY HOLDS FIRM**

Mainly, the boycott of the two integrated schools — William Frantz and McDonogh No. 19—held firm. Two more white children entered William Frantz — a total of four—against Monday's two. But, at McDonogh No. 19, for the second day no white children entered.

Tension mounted again. So deep ran the passions of the mothers that one picketing mother, answering the complaints of her 2-year-old son who shivered in 50-degree chill, said: "If you don't want to stay, go on home."

She pointed the way to the tyke.

But the morning chill did send some pickets home. Many appeared in beach sandals. others had only light shoes without stockings, and the light clothing worn in the New Orleans climate.

In Baton Rouge, a leader in the administration of Gov. Jimmie H. Davis, said a 21-member liaison group of the Louisiana Legislature had been formed. Its purpose is to unify strategy in the fight against integration.

**1922 STATUTE**

One of the strategic lines may be the boycott. A 1922 Louisiana law says no school may be kept open with an average attendance of 10 or fewer.

The school board may decide such a school may be kept open, but this decision must be approved by state officials. The state superintendent of education, Shelby Jackson, is an ardent and militant segregationist.

The legislature — apparently marking time until they see what federal court is going to do with the most recent legal maneuvers —goes into a continuance of its marathon special session Tuesday night.

A three-judge federal court has before it pleas to suspend temporarily its school integration order and to abandon it all together. A decision is expected at any time.

Even counting the boycott of the two integrated schools, absenteeism in New Orleans public schools shrunk Tuesday to only a little above normal. Discounting the boycott, absences were average for Tuesday—4,018 of 36,726 white students, elementary and secondary.

The New Orleans community was almost totally involved in the integration struggle, even the city's massive Roman Catholic parochial school system. No date has been set for integration of parochial schools, reports Msgr. Henry Bezou, but it is in the apparent offing.

The Josephite Fathers, missionaries among the Negroes, published a four-column, page-long advertisement in New Orleans newspapers Tuesday headed "An appeal to Catholics! Don't let our city be distraced."

**FULL STATURE**

"For 60 years," the plea said, "the Josephite Fathers have dedicated hundreds of men and millions of dollars in winning the Negroes of New Orleans for Christ, and in leading them to full stature within the Catholic Church.

"Now that their day of hope is dawning, they look to their white Catholic brothers to be equally dedicated to their responsibilities towards peace; to snatch the leadership from hatemongers, to stand firm for tolerance, to respect our country's courts."

The advertisement bore the approval of the Rev. George O'Dea, superior-general of the Josephite Fathers.

# Two Orleans Schools Boycotted By Whites

The Courier-Journal
Louisville, Ky.
Dec 11-29-60

By The Associated Press

New Orleans, Nov. 28.—Angry white parents boycotted two integrated public schools Monday, in effect renewing segregation for four Negro first-graders.

"You've got the whole school to yourself now," yelled a woman as three of the 6-year-old Negroes entered McDonogh No. 19 School.

Seven United States marshals ushered the trio into McDonogh and three others accompanied the lone Negro girl who went into William Frantz.

**Spectators Jeer**

Hooting and jeering spectators numbered about 100 at McDonogh but only about 15 women were at William Frantz, the quietest school opening since desegregation began two weeks ago.

Truancy and absence in the rest of the city's white schools dropped to nearly normal for a Monday, only 11 per cent including the 99.9 per cent boycott of William Frantz and McDonogh No. 19.

**2 Whites At Frantz**

Normal absenteeism for a comparable day, the board said, is 10 per cent.

School officials said 5,079 of 36,726 white public-school pupils failed to report Monday morning.

At McDonogh, normally bustling with 467 students, three Negro girls sat in their first-grade room with their white teacher. They were the only students.

At William Frantz, which normally has 571 students, one Negro first-grade girl sat alone with her teacher. In kindergarten, a white girl sat. In a higher grade, a second white girl studied.

There were no other white students there.

# New Orleans School Case Rulings Expected Today

The Commercial Appeal
Memphis, Tenn.
Dec 1-29-60

By KENNETH TOLER
Staff Writer

NEW ORLEANS, Nov. 28.—A panel of three Federal judges is expected to rule Tuesday on whether integration of New Orleans schools will continue against the background of a determined boycott by parents of white children.

The decision will either tighten the court's mandate for unmolested integration or ease the situation on a temporary basis.

The Orleans Parish (County) School Board has asked the court to reconsider and suspend the integration order pending a determination of issues raised by the Federal and state Governments.

Also scheduled for decision is the challenge of the state Legislature of Federal assumption of sovereignty in the face of the state's effort to interpose its authority. Another issue set for clarification is the ouster of the school board by the State Legislature, which is in continuous special session in an effort to prevent enforcement of the Federal court's integration mandate.

**Parents Maintain Boycott**

As a tension-filled city Monday awaited the decision, patrons of the two schools demonstrated their resistance when only two white students of an enrollment of 1,038 returned to classes after a week-long holiday. The respite tended to ease a rebellion which followed the integration, but it did not alter parent boycott against mixing of the races.

The enrollment of four Negro girls in the two schools broke the segregation barrier in Louisiana.

About 400 of the students of the two integrated parish schools attended school Monday. But they enrolled in adjoining St. Bernard Parish, home of segregation-leader Leander Perez, the district attorney.

Demonstrative and angry mothers piled their children on special buses for the transfer provided through a $200 donation from the Progressive Master Plumbers Association headed by Armand Davies, president of the Dad's Club of William Frantz School.

There were only two white students in William Frantz where one Negro girl has been enrolled. Not a single white student showed up at McDonogh No. 19, the other school, integrated with the enrollment of three Negro girls.

**11 Teachers Added**

John Davies, superintendent of schools in St. Bernard Parish,, about four blocks from McDonogh Elementary School, said 11 additional teachers had been employed to care for the Orleans Parish children.

There were no demonstrations Monday as United States marshals escorted the Negro first graders to school. Fewer than 100 persons stood around the schools as the children, each wearing a white ribbon in her hair, walked between the escorting marshals into the two schools.

C. E. Vetter, leader in the New Orleans Citizens Councils, directed the leading of students who had gathered across the street from McDonough school into the chartered buses.

Mr. Vetter said plans for a co-operative private-segregated school were going forward and that several buildings in adjoining St. Bernard Parish were being considered. Mr. Davies said it will take about $250,000 to operate the co-operative schools for the remainder of the school year.

# School Attendance Rises

## Estimated 10,000 Pupils Absent in Orleans

Attendance in the city's white public schools picked up Tuesday, although an estimated 10,000 pupils were still absent.

**Orleans school board officials said at 11 a. m. that of a total membership in the city's white public schools of 37,997 students, 27,974 were in class.**

On Monday when two first grades were integrated, a spot check of 25 schools showed that only half of the student body was attending class.

**Dr. James F. Redmond, Orleans school superintendent, was optimistic about the attendance, and he said instruction would continue.**

**A spirit of hopeful optimism continued to prevail among other school officials. Dr. Redmond expressed the belief that the worst was over.**

When news came to him early in the day that only one white child entered the integrated Frantz school and that only a handful of white children remained at the integrated McDonogh No. 19 school, Dr. Redmond asserted:

"That's fine. Just as long as one child goes into the school, it's all right."

### RETURN IS URGED

The superintendent was even more elated when official attendance records showed that the initial report saying that only a handful of students was in attendance was in error.

**According to attendance records, there were 65 pupils on hand at Frantz school at 11 a. m. out of 517, and there were 20 pupils in the McDonogh No. 19 school out of 467.**

**"I personally talked to assistant Supt. A. S. Sonntag, and he assured me that there were definitely 20 children on hand at McDonogh No. 19 and he was in the school building at the time," said Dr. Redmond.**

After checking overall attendance figures for all the schools, the superintendent appeared even more pleased.

"This is not only an improvement, this is magnificent," he said. "I am extremely encourged. There are schools in the neighborhood of the integrated schools where children were apparently kept home for their personal safety. I would encourage the parents to return their children to classes."

### PRAISES POLICE

Dr. Redmond praised the New Orleans police department "for doing such an excellent job in protecting our citizens."

"I am certain that each day of the rest of the week will show improvement in the low attendance areas," he added. "I believe attendance will return to normal in a very short time. I want to compliment both parents and teachers for maintaining a calm and cool attitude."

Asked whether instruction will continue in the McDonogh school and Frantz school, Dr. Redmond replied:

"Certainly there will be instruction.

"And what could be finer than tutoring."

Dr. Redmond said Armand J. Duvio was in error when he stated no instruction was in progress Monday in Frantz school.

**"The Negro child who came in yesterday morning was kept in the office until she could be quieted down," the superintendent explained. "She was excited and crying. Then while she was in the office classes were re-organized to separate the boys from the girls. Eventually, she went into a class of girls and there was instruction."**

Dr. Redmond said that Duvio is president of the Frantz Co-operative Club, which he termed a pro-segregation group. The superintendent said that the Frantz Co-operative club, which Duvio heads, is an organization chartered to set up a private school.

### TEACHER ON JOB

Dr. Redmond said the club which Duvio heads is not to be confused with the school's long-existent co-operative school club, which is headed by Mrs. A. F. Sedgbeer, 1744 Bartholomew.

**Dr. Redmond emphatically denied that any school teacher left either Frantz or McDonogh No. 19 schools on the initial day of integration.**

**The superintendent said that only one teacher was absent from the integrated schools Monday, and she was ill.**

"We did not send a substitute from the substitute service to replace her," he explained. "Instead we dispatched one of our regular teachers. She is still there."

Dr. Redmond said he was very proud of the fact that teachers were on the job Tuesday.

"At least that's the way it looks to me," he added. "Absenteeism today stands at 59 teachers. Normal absenteeism ranges between 55 and 60 in the school system of between 3500 and 3600 teachers. From this it would appear that the teachers did not stay home because of the crisis in the school."

Dr. Redmond said about 100 teachers were absent on Monday.

**Asked what happened to food prepared at the schools Monday, Dr. Redmond replied that Miss Miriam Harris, director of food service in the schools. had informed him that she had planned this week's menu very carefully.**

**"Her menu for the week," he explained, "includes the kind of food in which the only thing lost would be the bread."**

Only about half of the student body of the city's white public schools were in classes Monday.

### CHECKS ATTENDANCE

As he checked over the day's attendance at the various schools Dr. Redmond commented from time to time.

"Nicholls is bad," he said. "There are 955 on hand out of 1639. But look at Rabouin next door to us — 580 out 740. That school represents citywide attendance."

Dr. Redmond termed attendance at Beauregard Junior High school, 4621 Canal, good with 603 pupils out of 696 pupils on hand. He said the Capdau Junior High, 3821 Franklin, with 582 out of 701 pupils on hand wasn't bad either.

"Colton, of course, is not good," he said, "only 843 out of 1249. Colton is in the same neighborhood as the integrated schools."

Dr. Redmond was pleased with increased enrollment at Bradley school, 2401 Humanity. On Monday only 61 pupils out of 671 showed up for class. Tuesday the enrollment had gone up to 225, he said.

### COURT ISSUE

Asked what he planned to do about the students who demonstrated Tuesday at Frantz school, Dr. Redmond replied: "I will deal wtih the juvenile court when they are arrested.

**"I've told everyone that they should be in school. If they don't report to classes, they are truants and will be regarded as such."**

**Dr. Redmond admittted that there had been two bomb scares in the schools Monday. He said he could not recall the names of the schools.**

O. Perry Walker, first assistant superintendent of schools, echoing the optimism voiced by Dr. Redmond, said 85 per cent of the white public schools were in operation Tuesday at normal enrollment.

Walker cited McMain school as an example of one school operating practically at normal enrollment.

### APPARENTLY RESPOND

"Parents apparently are responding to the request made to them to send their children to schools," said Walker. The schools where enrollments are not normal are located in the area of the integrated schools."

Walker said he talked to the principal of Nicholls school, who is Daniel Allain, and he said that the pupils "are not walking out, contrary to rumor.

**"He told me that some of the students identified as Nicholls students who were supposedly participating in demonstrations are not actually Nicholls students at all," Walker added. "Mr. Allain admitted, of course, that there are some Nicholls students involved."**

Orleans parish records showed that at 11 a. m. Tuesday attendance at Nicholls was 955 students, out of a normal membership of 1639 students.

### PLACEMENT ACT

Dr. Redmond was asked at a press conference during the afternoon if school officials had any way of getting the truants back into school, and he replied:

"They are required by state law to attend school and we will follow up everyone of these cases if it takes all year.

"We shall demand reasonable excuses. There are penalties connected with truancy not only for children but for their parents. We intend to find out the facts."

Dr. Redmond said between 80 and 90 per cent of the schools "look like any normal day."

**Asked why Frantz and McDonogh No. 19 schools were chosen for integration, he replied: "The locations of the schools had nothing to do with it. The children were selected on the basis of the student placement act.**

**"These four pupils happen to be the ones who best fill the bill from scholarship and every other point of view."**

He said the four Negro children happen to live in the neighborhood of Frantz and McDonogh No. 19 schools. He said:

"Actually, all of them live within a five or six blocks radius of the two schools."

# Only Two White Children Attend

Jackson Daily News
Jackson, Miss
Wed. 11-16-60

NEW ORLEANS (AP)—A silent reception greeted three Negro first graders today when they arrived at school as the New Orleans public school integration crisis entered its third day.

Unlike the first two days of the integration dispute, only a handful of spectators turned out at McDonogh No. 19, one of the two all-white schools integrated by federal court order.

There were no boos, no yells, no taunts.

But the number of white school children attending McDonogh also fell off. Only two were seen entering the school—its normal enrollment 457—when the bell rang.

Louisiana legislators urged white parents Tuesday to keep their children away from the integrated schools.

Impeachment of a federal judge who ordered the integration was reported under discussion as the lawmakers ended a 12-day special session at Baton Rouge in early morning hours.

A rare closed session was called today to start a new special 30-day meeting called by Gov. Jimmie H. Davis.

Both houses approved a resolution urging a boycott of the integrated schools. The House approved it 93-2 and it passed the Senate 34-0.

An estimated 10,000 white pupils stayed away from city schools Tuesday, the second day of efforts to integrate two local schools. Many absentees took part in rowdy demonstrations that brought 11 arrests.

**CONGRESSMEN CALLED**

Louisiana's U.S. senators and congressmen were asked to attend the closed session and help halt federal intervention.

The resolution calling for their appearance was aimed at U.S. Dist. Judge J. Skelly Wright, who issued the integration order and thwarted segregation acts of legislators with restraining orders.

An informant wo asked not to be identified, said the question of asking Louisiana's congressional delegation to institute impeachment proceedings against Wright is one of the moves under consideration.

Segregation leader John Garrett called for Wright's arrest at a meeting of the Citizens Council Tuesday night. Garrett, chairman of the joint legislative committee on segregation, also called for the arrest of U.S. marshals who escorted four Negro girls to school Tuesday.

Garrett recommended full interposition, a legal maneuver through which the legislature would put state sovereignty between the federal government and the people to block integration.

Some 6,000 persons attending the meeting of the council, a segregationist group, shouted approval.

**MOTHERS MARCH URGED**

At the start of the council rally it was announced that mothers of students at the William Frantz School, where one Negro girl has been enrolled, would stage a protest march today on the New Orleans School Board office. The board, acting under federal court order, authorized integration.

A petition calling for impeachment of Wright was circulated at the Citizens Council meeting.

In the senate, Sen. Speedy O. Long advised parents that the legislature had repealed the state's compulsory school attendance law and said, "We are behind them in this fight.'

The House approved a Senate resolution calling for changes in the federal judiciary so judges are elected or appointed for a definite time instead of life.

Another House resolution, adopted unanimously, suspended part of a state law providing for legal service on public officials by requiring personal service.

**FIRINGS AFFIRMED**

The House also approved 91-6 and sent to the Senate a resolution warning business firms that four New Orleans School Board members fired by legislative action, no longer have any authority to act in fiscal matters.

Mounted police held shouting demonstrators in check as four 6-year-old Negro girls entered the two white elementary schools Tuesday. Three of the girls spent the day at McDonogh 19 school, which was ringed with 125 patrolmen and mounted officers. School officials reported only 20 of the 467 students enrolled were in school.

Police broke up a group of 200 white teen-agers 10 blocks from the school. The students carried flags and segregation placards.

The fourth girl sat in a first-grade room at the William Frantz school with a single white sutdent. Only 65 of the 517 boys and girls enrolled showed up at that school Tuesday.

In integration crisis—

# N. O. plans private school by year-end

NEW ORLEANS, Nov. 29 (AP) — An officer of the Frantz Educational Cooperative Inc., said yesterday the organization plans to have a private school in operation "by Christmas" for white students in the lower three grades of the two integrated New Orleans schools.

Armand J. Duvio, the co-op's president, said his group will also coordinate transportation for students from the two schools who have enrolled in schools in neighboring St. Bernard Parish (County).

**The Frantz co-op is one of at least 17 similar groups set up earlier this Fall by white parents to operate private schools in the event of integration.**

Frantz and McDonogh 19 elementary schools dropped racial barriers two weeks ago when the New Orleans School Board started token integration under a pupil placement law following Federal court directives.

FOURTH, FIFTH AND SIXTH graders from both schools were invited to enroll in three St. Bernard elementary schools and many did yesterday when classes resumed after a week-long breathing spell.

Some of the co-ops were formed before the school year began in September. All are incorporated and most bear the name of a neighborhood school. The charters of each co-op lists the primary function as the operation of private schools. Most were spawned under the auspices of the White Educational Assn. and all units of the Council of Education Cooperatives, Inc.

**The council estimates they can operate private schools for an initial registration of $150 and annual tuition of $170. Additional funds would come from subscriptions and gifts.**

Volunteers collected about $2000 over the week-end, Duvio said. They stopped cars at St. Bernard-Orleans Parish line, six blocks away from McDonogh 19.

# School Funds OK in Audit

## No Illegal Use Found in Orleans Transfer

BATON ROUGE, La. (AP)—A state audit found no illegal use of Orleans school board funds in the transfer of funds between a legislative account and the school board, a report showed Monday.

The office of J. B. Lancaster, supervisor of public funds, made a special report at request of the Louisiana Legislature in the federal-state dispute over Orleans school integration.

There was no official comment on irreguarities, but the funds supervisor's office has a custom of pointing out any found in its audits.

**CALLER FOR AUDIT**

A legislative resolution called for the audit after the school board, under federal court orders, took back money placed in the legislature's school account No. 1 on Nov. 14.

The move was in protest against an order from U.S. Judge J. Skelly Wright, who ordered integration of first grades in Orleans and restrained the Legislature, Gov. Jimmie H. Davis and all police authorities in Louisiana from interfering.

Many legislators insisted the federal judge acted illegally.

The Legislature since has cut off state funds to the Orleans school board and taken up management of school matters, such as payment of teachers and other workers.

The report said the school board's records were reviewed as directed by House concurrent resolution No. 7 of the second extraordinary session of the Legislature for 1960.

**BALANCES CORRECT**

"Due to insufficient time," the audit report said, "we did not confirm directly with the banks the balances shown in the statements presented herein.

"However, we examined the accounting records and reviewed the supporting data to the extent deemed necessary, and based our examination. It is our opinion that the cash receipts, disbursements and balances shown herein are correct.

"We wish to note here," the report said, "That we received full co-operation from the staff of the accounting office of the Orleans parish school board and we hereby express our appreciation."

The report was sent to the governor, Lt. Gov. C. C. Aycock, House Speaker Tom Jewell, Atty. Gen. Jack Gremillion, and District Attorney Richard A. Dowling of Orleans parish.

The report showed a total balance Nov. 8 of $1,881,921 in the school board's regular funds.

**WIPED OUT**

Employes' defense bond contributions totaled $2,765,923 and employes' defense bond purchases came to $1,039,393.

The balance for Nov. 18 was $1,726,529. The total in accounts at National American bank, Hibernia National banks, National bank, National Bank of Commerce, Whitney National bank and Progressive Bank and Thust Co. was $1,402,652.

The legislative account, starting with nothing, received from the school board Nov. 14, $870,600, met the maintenance and custodians and purchasing payrolls Nov. 10, and Nov. 11 saw the account wiped out by transfer back to accounts of the school board under federal order.

The balance returned to the school board, with remissions of withholding taxes, came to $2875,-387.

INTEGRATION DEFENSES FALL

# Louisiana Verdict A Blow to Georgia

By BRUCE GALPHIN

Georgia lost three more possible last-ditch school segregation defenses as a result of the ruling of the three-judge federal court in New Orleans Wednesday.

The court removed these weapons from the state's fast-shrinking arsenal of defense:

1. Interposition—In the first school-case test of the doctrine that states may ignore federal court rulings, the court held interposition to have "no legal efficacy."

**STRIPS AWAY 'IMMUNITY'**

2. Legislative immunity—A legislature may not wrap the cloak of immunity from injunction around itself when it steps down from its legislative role and acts in an executive capacity, the court held.

3. State's power over internal affairs—The court admitted that the creation or abolition of a school board is "an area peculiarly reserved for exclusive state action." But it cited a six-week-old U.S. Supreme Court dictum that "a constitutional power cannot be used by way of condition to attain an unconstitutional result."

One sentence in the New Orleans court's ruling summarized the situation: "Having found a statute unconstitutional, it is elementary that a court has power to enjoin all those charged with its execution."

**LEGISLATURE ACTED**

The Louisiana legislature to defeat desegregation had:

Invoked interposition, removed four of five members of the Orleans Parish school board, abolished the board, placed a legislative committee in control of New Orleans schools and re-enacted school-closing laws previously voided.

"The nub of the controversy is in the declaration of interposition," the court said Wednesday.

**MARSHALL QUOTED**

It then quoted former Chief Justice John Marshall on the subject:

"If the legislatures of the several states may at will annul the judgments of the courts of the United States, and destroy the rights acquired under those judgments, the Constitution itself becomes a solemn mockery."

Interposition, the New Orleans court added, "if taken seriously . . . is illegal defiance of constitutional authority. However solemn or spirited, interposition resolutions have no legal efficacy . . .

**'PACKAGE FALLS'**

"Without the support of the interposition act, the rest of the segregation 'package' falls of its own weight," the court added.

"However ingeniously worded some of the statutes may be, admittedly the sole object of every measure adopted at the recent special session . . . is to preserve a system of segregated public schools in defiance of the Supreme Court . . ." it continued.

The argument of legislative immunity, the court held, "is specious.

**LEGISLATORS UNRESTRAINED**

"There is no effort to restrain the Louisiana Legislature as a whole, or any individual legislator, in the performance of a legislative function. It is only insofar as the lawmakers purport to act as administrators of the local schools that they . . . are sought to be restrained . . .

" . . .When the Legislature itself seeks to act as executor of its own laws, then quite obviously it is no longer legislating and is no more immune from process than the administrative officials it supersedes."

The court admitted that the Legislature ordinarily has power to create or abolish school boards.

**DEFINES QUESTION**

"The question," it said, "is whether the protective arm of the Constitution reaches into the 'inner sanctum' where the state conducts what it considers its strictly private business."

The Supreme Court, the New Orleans panel noted, in the Tuskegee redistricting case held on Nov. 14, 1960, that "a constitutional power cannot be used by way of condition to attain an unconstitutional result."

As in the Little Rock decision and other cases, the court dismissed an argument that public disorder was cause for further delay in implementing desegregation.

# PUPILS IN CLASS IS AIM--WAGNER

## Says Identities of White Students Suit's Goal

Emile A. Wagner Jr., member of the Orleans parish school board, said Saturday he wants the identity of the white pupils, not the Negroes, who are enrolled in the city's two desegregated schools.

Referring to the reason for a suit he filed in civil district court Friday to compel school Supt. James F. Redmond to furnish him the names of students of McDonogh No. 19 and Frantz elementary, Wagner said:

**"It's not the names of the four Negroes that I want; I know who they are.**

**"I want the names of the white children in those schools so I can make arrangements to get them in school, for their education."**

Parents of white children in those previously all-white schools have been boycotting them since Nov. 14, when four Negro girls were transferred to first-grade classes.

The desegregation was ordered by federal Judge J. Skelly Wright. The four transfers were part of a pupil placement plan which school board members, excepting staunch segregationist Wagner, approved.

### THREATS REPORTED

Wagner said that his "children's lives have been threatened by Negroes." He said he reported the threats to police.

Wagner said the threats stem from a misunderstanding of the reason for the suit he filed in civil court. A hearing on the the suit is scheduled for 11 a. m. Tuesday in Judge Alexander Rainold's court.

**Another report Saturday was that the four members of the school board had been asked to resign. The request purportedly was made at a meeting Friday night with a special committee of the Young Men's Business Club.**

**Club president Max Barnett Jr. would not confirm the report. But he wouldn't deny it either.**

Louis G. Riecke, vice-president of the school board, said the possibility of the board resigning was brought up merely "as a basis for further discussion" by state Rep. Risley C. Triche at a meeting Tuesday in Baton Rouge with YMBC representatives, board president Lloyd J. Rittner and Riecke.

Several hours after his first conversation with The Times-Picayune, Barnett telephoned to say that a request that the school board members resign did not come up at Friday night's meeting.

In other developments on Saturday was the announcement by state Rep. Edward F. LeBreton Jr. that wholesalers of foodstuffs have threatened to cut off supplies for the New Orleans school lunch program.

He said the wholesalers complain that the board has been unable to pay for the supplies. One of them is a $30,000 bill outstanding, LeBreton revealed.

### REOPEN MONDAY

As the segregation-integration battle continues to brew, New Orleans public schools are to reopen Monday "as usual" after an uneasy quiet last week from the previous week's tensions, brought on by the integration of McDonogh 19 and Frantz schools.

Schools were closed last week because of a three-day teachers convention in Baton Rouge and the two-day Thanksgiving holiday.

During the week, white parents flocked to enroll their children in St. Bernard parish public schools.

**On Saturday St. Bernard school Supt. Joseph J. Davies Jr. said approximately 375 applications for transfer were received in his office during the week.**

Meanwhile a three-judge federal tribunal still has under advisement—for more than a week now—three suits which were argued in federal court in New Orleans.

One is a suit by the school board which asks that the desegregation order be suspended until the state and federal governments resolve their differences on the race mixing in public schools.

Another is a suit by US Atty. M. Hepburn Many to enjoin state and local officials from interfering with implementation of the federal desegregation order.

The third is a suit by 31 white taxpayers to prevent the state Legislature from seizing control of New Orleans schools from the elected school board members.

### LEGISLATIVE ACTION

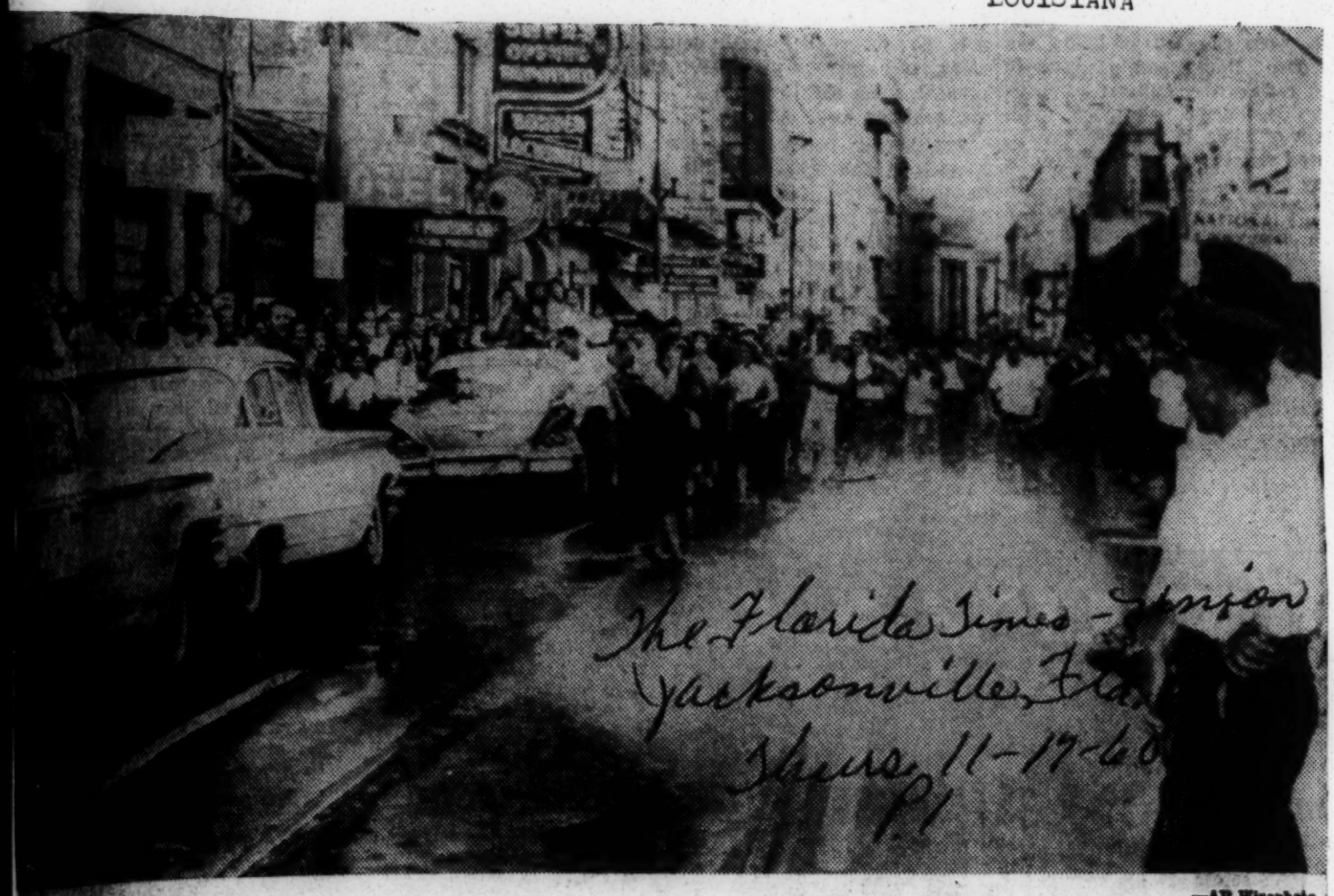
The Legislature had appointed a special legislative committee to supersede the school board's authority and responsibilities in operating New Orleans schools.

It also seized control over all operating funds for the schools.

Consequently, last week when a payroll was due for teachers and other school employes, the school superintendent announced he had no funds to meet the payroll. But the Legislature voted to pay the school employes.

LeBreton, a member of the eight-man legislative committee, said he had been assured that the Legislature also would stand good for any outstanding bills of the school board.

The report that the school board was asked Friday night to resign allegedly was at the suggestion of the same legislative committee.


The Florida Times-Union
Jacksonville, Fla.
Thurs. 11-17-60
pl

—AP Wirephoto

With Streams of Water, Firemen Hold at Bay Crowd Marching on New Orleans School Board

POLICE BATTLE MOB OF 1,000

# Riots Rip New Orleans Over Mixing in Schools

The Florida Times-Union
Jacksonville, Fla.
Thurs. 11-17-60
pl

NEW ORLEANS, Nov. 16 (AP)—Riotous demonstrations against school race mixing exploded again and again throughout downtown New Orleans today.

Screaming demonstrators grudgingly gave ground to clubbing police and arching fire hoses, but re-formed and hit another street. Arrests mounted to 58 at mid-afternoon. Many persons, both white and Negro, were hurt.

And scattered violence contin- and tried to charge into City Hall a few blocks away.

ued under a rain that broke up the big mobs at mid-afternoon. White youths stabbed a Negro near Charity Hospital in the only violence.

More than 1,000 demonstrators most of them beardless truants from the high schools—failed to storm the school board offices in the center of downtown New Orleans.

Hundred turbulent teen- were dispersed after hoses and were driven from the streets

Again mounted police and fire hoses shattered the wall of screaming and drenched youths.

**Policeman Beaten**

Segments turned to the narrow streets of the famed French Quarter and wended their chanting ways under iron-lace balconies. Some teen-agers seized a policeman and beat him savagely.

As the fire hoses began hissing in front of the school board office, Mrs. Muriel Schneider, mother of two, grabbed Police Supt. Joseph Giarrusso by the trouser leg and pleaded: "Chief, help us, not the U.S. government."

Tears streamed down her cheeks.

"We'll help you," said Giarrusso, "if you do it in an orderly manner, but we are not going to let you take over the city."

While the uproar echoed against the walls of downtown buildings, U.S. Sen. Russell Long D.La. stood before an infuriated Louisiana Legislature in Baton Rouge and said:

"I would be personally willing to impeach the entire Supreme Court if my vote would do it."

**Legislature on Own**

The senator virtually told the legislature it was on its own.

"The situation in Washington," he said, "is likely to get worse. We simply do not have the votes."

And, he suggested the legislature abandon public schools and turn to a segregated private school system.

Almost forgotten in the tulmultuous sequence of violence were the four little Negro first-grade girls whose entry into white public elementary schools for the first time in more than 80 years began the see-saw of strength in the Deep South's largest city.

One of the four entered William Frantz School quietly for the third day with a silent crowd of under 100 persons watching. At McDonogh No. 19, three others marched into the school before a silent crowd of about the same size.

The big crowds were downtown.

Tension grew by the hour as police repelled the advances of teen-agers and adults chanting "two, four six, eight, we don't want to integrate."

After the worst of the day's disorders apparently had subsided, eight Negroes attacked a white man and shot him.

White men beat up four Negroes.

A group of whites stoned a Negro truck driver, who threw half bricks back. Police broke up the fight. None was hurt.

During the height of the melee around the school board office, a Negro delivery boy ran afoul of the demonstrators. Some threw him to the sidewalk, piled on him, hit him and kicked him. A policeman received a bloody nose rescuing the Negro.

Police carried an elderly man half a block, holding him precariously by arms and legs while he fought, screamed and scratched every step.

Gov. Jimmie H. Davis in Baton Rouge called on "all those in New Orleans who are under this emotional strain to stay at home and don't do anything" they might be sorry for.

Dr. Emmett Irwin, president of the Citizens Council of Greater New Orleans, said "it wouldn't hurt to have a few peaceful demonstrations" at the two integrated schools "by those who want to do so."

A noon-time crowd from nearby offices watched some of the disturbances, jeering police. In the crowds came comments like, "I never thought New Orleans would be like this," and, "Isn't this terrible?"

# New Orleans Parents Keep Children Home To Defy Integration

The Commercial Appeal
Memphis, Tenn.

## Boycott Is On But Official Says Students Are Truants Subject To Court Action

Wed. 11-16-60

By KENNETH TOLER
Staff Writer

NEW ORLEANS, Nov. 15. — Two elementary schools, integrated Monday with four Negro girls ending segregation in Louisiana, were boycotted Tuesday by white children whose parents rebelled against enforced racial mixing.

Effectiveness of the boycott, the parents' only remaining recourse against desegregation in the face of the Federal Court order, was shown in Tuesday's attendance of only 65 children out of a normal enrollment of 1,038 in the formerly all-white schools.

City police will be back on duty at the schools Wednesday.

**Books Taken Home**

All day Tuesday, mothers of children kept at home entered the two buildings and left with their arms loaded with textbooks, vowing their children would not return until "we get our schools back and the Negroes out."

Another development was the arrest of 11 persons, all white, for demonstrations in front of McDonogh No. 19 and William Frantz elementary schools. The schools are in a housing-integrated low-rent area of New Orleans.

One of those arrested for reviling city police stationed around the schools to maintain law and order was Deputy Sheriff Anthony Calabresia of St. Bernard Parish, political stronghold of segregationist Leander Perez, the district attorney. The school where the arrest was made is in Orleans Parish about three blocks from the St. Bernard Parish line.

**Housewives Nabbed**

Two housewives were arrested and charged with interferring with police, reviling the police and with being loud and boisterous. They were escorted from the milling hundreds around McDonogh School midst the jeers of the crowd. One of the women, who carried a sign reading "Nigger Lover Cops," was dragged across the neutral ground in front of the school, struggling with the officer. Police said it was her use of obscene language and not the sign that caused her arrest.

Three teenage students were arrested and charged with reviling police and being loud and boisterous.

Others who stood and peered were forced back two blocks from the schools when they became unruly.

**Stand Defined**

School Supt. James Redmond told a news conference those who missed school Monday or Tuesday would be treated as truants and violators of the state's compulsory school attendance law. Both the students and their parents are subject to Juvenile Court action, he said, "and we'll follow this through if it takes all year."

Several times during the day mounted police dispersed jeering and sign-waving crowds with their horses when they sought to march in the direction of McDonogh School.

A father of a child in William Frantz School, who entered the building to get his child's textbooks, was arrested when police saw a pistol in his pocket. It turned out to be a toy gun he had taken from the child's locker.

**Arrests Explained**

Supt. of Police Joe Giarrusso, stationed at McDonogh School where three of the Negro 6-year-old first graders are enrolled, late Tuesday explained the arrests by city police.

He said the police were at the two schools to maintain law and order and not to enforce the Federal orders. He said that responsibility was for the United States marshals who escorted the Negro children to school and back home after classes.

The Legislature was to meet again Tuesday night. It was expected to adjourn the present emergency session and then begin another one Wednesday. The Legislature's attempts to stop integration have been foiled at every turn by restraining orders from Federal District Judge J. Skelly Wright

# New Orleans Becomes Scene Of Mad Orgy Protesting Integration

The Commercial Appeal
Memphis, Tenn. Thurs, 11-17-60

## Blood Is Spilled

### Police Battle Demonstrators —Whites And Negroes Fight In Streets

By The Associated Press

NEW ORLEANS, Nov. 16.—Riotous demonstrations against school integration exploded again and again throughout downtown New Orleans Wednesday.

Screaming demonstrators grudgingly gave ground to clubbing police and arching fire hoses, but formed again and hit another street.

Arrests mounted to 58.

Many persons both white and Negro were hurt.

And scattered violence continued under a rain that broke up the big mobs at mid-afternoon. White youths stabbed a Negro boy near Charity Hospital in latest violence.

**Youths Turned Back**

More than 1,000 demonstrators —most of them beardless truants from the high schools— failed to reach the school board offices in the center of downtown New Orleans.

Three hundred turbulent teenagers reformed after hoses and clubs drove them from the streets and tried to charge into City Hall a few blocks away.

Again mounted police and fire hoses shattered the wall of screaming and drenched youths.

Segments turned to the narrow streets of the famed French Quarter and wended their chanting ways under iron-lace balconies. Some teen-agers seized a policeman and beat him savagely.

As the fire hoses began hissing in front of the school board office, Mrs. Muriel Schneider, mother of two, grabbed Police Supt. Joseph Giarrusso by the trouser leg and pleaded:

"Chief, help us, not the United States Government."

**She Was Crying**

Tears streamed down her cheeks.

"We'll help you," said Chief Giarrusso, "if you do it in an orderly manner, but we are not going to let you take over the city."

Almost forgotten in the tumultuous sequence of violence were the four little Negro first-grade girls whose entry into white public elementary schools for the first time in more than 80 years began the see-saw of strength in the deep South's largest city.

One of the four entered William Frantz School quietly for the third day with a silent crowd of less than 100 persons watching. At McDonogh 19, three others marched into the school before a silent crowd of about the same size.

Downtown, tension grew by the hour.

**Violence Traded**

Eight Negroes attacked a white man and shot him in the hand. White men beat up four Negroes.

During the height of the melee around the school board office, a Negro delivery boy ran afoul of the demonstrators. Some threw him to the sidewalk, piled on him, hit him and kicked him. A policeman received a bloody nose rescuing the Negro.

A frail housewife stood up as police thrust her into a truck and screamed:

"Come on, white people, help us stand up for our rights."

"Shut up," a policeman ordered."

She screamed: "You ain't big enough to shut me up."

**Governor Comments**

Gov. Jimmie H. Davis in Baton Rouge called on "all those in New Orleans who are under this emotional strain to stay at home and don't do anything" they might be sorry for.

Fleeting glimpses here and there gave the impression of cowboys herding cattle as the mounted police sent their horses dancing into the crowds.

"Glory segregation, the South shall rise again," read one huge placard.

The afternoon turned into a mad orgy of isolated incidents like some demented dance. Small groups of white youths would taunt Negroes. Negroes would charge. The first group would run. Then came police on motorcycles to break it up.

While the truants roamed the streets, attendance in New Orleans schools dwindled—to the vanishing point, nearly, at the William Frantz and McDonogh No. 19 integrated schools.

**Only Two Attend**

Only two white pupils showed up at McDonogh No. 19. Normal enrollment is nearly 600. At William Frantz School attendance was undetermined but it was obviously nearly zero.

Schools Supt. James Redmond —lamenting the disorders— expressed hope attendance would start to climb again Thursday.

But, the state's compulsory attendance law was wiped from the books by the special session of the Legislature. And, the Legislature in its anger called on parents not to send children to integrated schools.

In New Orleans

The Talladega Daily Home

# Violence Flares On Wide Front

Talladega, Ala.

Wed. 11-16-60

first violence between a white man and a Negro, a fist fight.

NEW ORLEANS, La. (AP)—Club-swinging police called fire hoses into action today in an attempt to break up a screaming demonstration against school integration in downtown New Orleans.

Firemen aimed streams of water at the demonstrators, to keep them back from the New Orleans Board office.

The crowd chanted "We don't want to integrate."

But the water deflected from the pavement in front of the group and the streams sailing overhead dispersed the demonstrators from the school board office area.

The police radio reported in the midst of the melee that a group of teen-agers had taken at least one fire hose from the firemen and turned it against the officers. The report did not elaborate.

Police loud speakers blared over the tumult: "Move on, move on. We don't want to injure anyone."

While the impassioned show against the mixing of races in the school spread to downtown New Orleans, a pupil boycott virtually halted education at the two schools integrated by four Negro first-grade girls last Monday.

In Baton Rouge, the Louisiana legislature heard U.S. Sen. Russel Long of Louisiana tell members the situation in Washington "is likely to get worse. We simply do not have the votes."

Weary legislators — still fighting mad — began a 30-day special session trying to find a way out of integration.

A newsman reported he saw from 50 to 75 persons arrested. The same man reported the

# NEW ORLEANS BIDS FOR SCHOOL DELAY

## Board Asks Judge to Defer Integration Order—Cites Pressure and Fund Crisis

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Nov. 17—School officials asked Federal Judge J. Skelly Wright today to suspend his school desegregation order until a Federal-state controversy here is settled.

The request was filed in Federal District Court by the Orleans Parish (County) School Board. It cited pressure from the state Legislature and a growing financial crisis. Judge Wright set a hearing for tomorrow on the case.

The admission of four Negro girls to two white schools last Monday caused a wave of racial clashes and vandalism here yesterday.

**Attendance Almost Zero**

The police reported more than 200 arrests during the night on charges of loitering, carrying concealed weapons and vandalism. More arrests were made today and a fight broke out between white and Negro longshoremen.

Education officials said only one white pupil had attended McDonogh No. 19 School with three of the Negro girls. Three whites were in classes at the William Frantz School, where the other Negro is enrolled. More than 1,000 pupils normally attend the two schools.

In Baton Rouge, the capital, a special legislative session took up a bill that would prevent the city police from helping to enforce desegregation orders. The police here have been used to maintain order at the schools.

The four members of the parish school board, in petitioning Judge Wright for a return to segration, said time was needed while the issues were decided by the United States Supreme Court.

They noted that the legislature had voted to remove them from office and had "unjustily heaped opprobrium upon them from the floor of the House and Senate."

Moreover, the board said, taxes collected by the city have been frozen pending a determination of legal questions, and banks have refused to lend funds to the board.

"Such a loan is necessary to meet the monthly payroll for teachers and other employes, which will be due on Nov. 23," the board said.

It added that it was "caught and entangled in a legal struggle between the Legislature of the State of Louisiana on the one hand and the United States judiciary on the other."

"These are questions which will ultimately have to be resolved by the Supreme Court of the United States," it said.

Gov. Jimmie H. Davis and the Legislature have attempted to oust the board members five times, and each time Judge Wright has prevented the move by issuing restraining orders.

A hearing has also been set for tomorrow before a three-judge Federal Court on the constitutionality of anti-intergration measures passed by the Legislature. The key measure seeks to interpose the power of the state government between the Federal Court and the people of New Orleans.

There was a relaxing of tension despite minor outreaks across the city. Joseph Giarrusso, superintendent of police, called it a "general tapering off of tensions."

Only twenty persons were on hand this morning when six Federal deputy marshals arrived with the three Negroes at the McDonogh School.

The 6-year-olds, all in the first grade, seeme dto take little notice of the jeering as the marshals helped them up a stairway.

Marshals had performed the same duty during the crisis over the desegregation of Central High School in Little Rock, Ark.

The father of the 6-year-old girl who was transferred from a Negro school to William Frantz, has been discharged as a filling-station helper. His identity an dthat of the other Negroes involved have not been disclosed publicly.

The man's employer, W. E. Smith, said:

"I wouldn't have a nigger working for me with a child in a white school. Would you?"

He conceded that the Negro had been employed by him for four years and that he was a good worker. He said whites in the area had telephoned him, warning they would boycott the station if he continued to employ the man.

Most of the arrests were "preventive," according to Superintendet Giarrusso. The trouble began with anti-integration demonstrations in which more than 1,000 persons, mostly teen-agers, raced back and forth through the business section and the French Quarter.

A total of 194 persons were booked for loitering, twenty-nine for carrying concealed weapons and twenty-seven for vandalism. Negroes fired a pistol at two whites on a street. John H. Cockerham, 17, was charged with attempted murder in the shooting.

The police reported two cases in which Negro juveniles had been arrested with gasoline bombs in their possession. Many incidents of vandalism took place involving the stoning of automobiles to the breaking of windows in homes.

Joseph Landry, a Negro, was stabbed in the chest by a white who was not apprehended.

There were other reports of assaults against whites and Negroes.

Fifty policemen broke up a clash between more than 200 white and Negro longshoremen at a "shape-up." The trouble started when the Negroes complained that Andrew J. Lester, who was conducting the hiring, was a White Citizens Council member.

The police picked up more than fifty high school youths on downtown streets. A few were bokked on charges of loitering; others were warned to stay out of the business district.

Appeals for an end to violence were made by Governor Davis, Mayor deLesses S. Morrison, the Chamber of Commerce, the Young Men's Business Club, the Federation of Churches and the Junior Chamber of Commerce.

Clarence A. Laws, field secretary for the National Association for the Advancement of Colored People, said Negroes had been responsible for some incidents that followed the demonstrations.

"We are taking this method to express our strongest disapproval of this form of behavior and to urge Negro citizens to use every restraint in this crisis," he said.

**Legislature Spurs Sanctions**

Special to The New York Times.

BATON ROUGE, Nov. 17—The Legislature continued to invoke economic sanctions against the Orleans Parish board despite warnings from a New Orleans Senator that the action might close schools in that city.

A bill was introduced in the House to prohibit police interference in actions opposed to the interposition act, which was approved at the special session that immediately preceded the current thirty-day session.

New Orleans attorneys warned that the measure would have the effect of preventing police action to control riots. It will take five days to enact.

The only other bill introduced provides $420,000 to pay the expenses of the Legislature, which would bring the cost of the two sessions to more than $500,000.

There was still no sign of a resolution, rumored earlier, under which the legislators would serve without pay. They now receive $50 a day.

The Legislature addressed a resolution to President-elect John F. Kennedy, asking how he felt about federal courts' restraining Legislatures. Judge Wright has restrained the Legislature from interfering with New Orleans school integration.

The Legislature also asked Mr. Kennedy how he felt about "judicial tyranny." An emissary of Governor Davis was to present the resolution to Mr. Kennedy today. He was instructed to wait for an answer.

# INTEGRATION GAIN MADE IN ST. LOUIS

## City's Restaurant Owners Vote for Ending of Ban on Serving of Negroes

Special to The New York Times.

ST. LOUIS, Nov. 12—Integration of most and possibly all St. Louis restaurants appeared today to be near after the 350-member St. Louis Chapter of the Missouri Restaurants Association had approved the principle of serving Negroes.

The organization acted two weeks after six restaurant companies operating fourteen cafeterias had dropped their policy of barring service to Negroes. Ten of the cafeterias are in downtown St. Louis.

A series of unsponsored sit-in demonstration by three Negro high school students in mid-October focused attention on restaurant segregation.

**Scene of Daily Sit-ins**

Since the cafeterias began serving Negroes daily sit-in demonstrations at a Howard Johnson restaurant in a mixed neighborhood. The restaurant has thus far refused to serve Negroes. On each occasion, the police were called and arrested the demonstrators, usually persons 15 to 21 years old.

The demonstrators usually received court summonses for trespassing. However, Mayor Raymond R. Tucker announced that the city would not prosecute Negroes engaging in peaceful sit-in demonstrations.

In a letter to the Restaurant Association he said:

"It certainly would appear that the best possible approach to the specific problem before you would be the voluntary cessation of discriminatory practices by all restaurant operators in St. Louis.

"The recent abolition of such practices by a number of restaurant operators has demonstrated that this can be accomplished peacefully and without incident."

The Mayor declared that mass picketing at restaurants or disorderly demonstrators would not be permitted. Pickets, he added, must not prevent access to any establishment.

**Mayor Consulted**

Mayor Tucker's views were sought by the restaurant owners in trying to determine a course of action. A resolution approving integration was before the members of the chapter for two consecutive meetings, but action on it was delayed until a meeting Thursday night.

Discussions lasted until early yesterday morning. Michael Fandos, president of the chapter did not disclose the vote other than to say that it was not unanimous. The owners agreed at the closed meeting to appoint a committee to meet with representatives of the National Association for the Advancement of Colored People to work out details of putting integration into effect.

Mrs. Margaret Bush Wilson, president of the St. Louis Chapter of the N. A. A. C. P., said that the organization would be glad to cooperate with the restaurant owners. A meeting on cooperation has been scheduled for Monday. Representatives of the Committee on Racial Equality and the Mayor's Council on Human Relations will be invited to the meeting.

Legislation to bring about a change in restaurant policy has been introduced many times in the St. Louis Board of Aldermen, but never was passed. A measure introduced last month by ten of the twenty-eight aldermen has not yet reached the floor.

United Press International Telephoto

**SECURITY CHECK IN NEW ORLEANS: A policeman searches a youth, who holds a Confederate flag, as part of precautionary action during dispute over desegregation.**

14d(1) 1960

NOV.1960



# Riotous Conflict Had Quiet Beginning

The Montgomery Advertiser
Montgomery, Ala.
Mar 12 1961
P3A

NEW ORLEANS, La. (AP) — The present riotous school conflict in New Orleans started quietly almost routinely when a group of Negroes in 1952 filed suit in federal court attacking school segregation.

The suit asked for "equal facilities" for the petitioners. Also requested was a ruling that separate and racially segregated schools were a denial of the equal protection clause of the 14th amendment.

Similar suits were being filed during the period throughout the South—and also in the "border" areas where segregation had been established in violent decades a century earlier.

**BECAME TEST**

One such suit, the case of Oliver Brown vs. the Board of Education of Topeka, Kan., became the test on which the U. S. Supreme Court delivered its historic decision May 17, 1954, outlawing school segregation.

That decision also struck down the precedent on which the South's vast pattern of legal segregation was based.

This was the doctrine of "Plessy vs. Ferguson" which grew out of an incident in the 1890s in which a Louisiana Negro was arrested in St. Tammany Parish (county)—just across Lake Pontchartrain from New Orleans—for refusing a conductor's order to move into a segregated car.

The passenger claimed that racial segregation violated rights guaranteed by the 14th amendment.

**SEGREGATION UPHELD**

The U. S. Supreme Court held that segregation was not unconstitutional provided Negroes were given "separate but equal" facilities.

This decision withstood legal attacks for more than half a century, until the Topeka school case ruling overthrew the "separate but equal" principal. The court ruled that segregation was discrimination, and therefore unconstitutional.

New Orleans Negro plaintiffs who had filed the 1952 suit—Benjamin Bush and others—asked for a temporary injunction on Aug. 18 1955. They wanted the Orleans School Board restrained from maintaining segregation.

The school board elected to make an all-out fight. It hired a noted special attorney, authorized a big fee, and entered a series of 30 legal encounters with the Negro plaintiffs.

**NEW BARRIERS**

One by one, the Negroes defeated the board's maneuvers.

As the years went by, the Louisiana Legislature began to pass laws setting up new barriers to integration as older laws were struck down.

Two massive programs of legislation were created—in sessions spanning the administrations of two governors.

One by one the new laws were declared unconstitutional.

Two years ago, U. S. Dist. Judge J. Skelly Wright issued a final decree in the Bush case ordering the New Orleans School Board to desegregate "with all deliberate speed."

Further resistance by the board proved futile. The day came—last May 16—when Judge Wright took note that the board had failed to submit a desegregation plan as ordered, and he set forth one of his own.

Following a pattern which had been used in similar cases elsewhere, Judge Wright ordered grade-a-year integration, beginning with the first.

The plan was to go into effect when schools opened in the fall.

There followed then—at increasing pace, with growing complexity, in an atmosphere marked by rising passions and climaxed by last week's violence—a torrent of legal and political actions at all levels.

**DAVIS PLEDGE**

On July 7, Gov. Jimmie H. Davis, echoing campaign promises to maintain segregation at all costs, pledged himself to keep the schools open and segregated despite the federal ruling.

On July 25, the state filed suit in its own civil district court to

*POLICE HEAD*

Joseph I. Giarrusso is superintendent of New Orleans' 1,000-man police force which has maintained a tight rein on trouble during the city's desegregation problem.—AP wirephoto

restrain the New Orleans School Board from complying with Judge Wright's order.

The National Association for the Advancement of Colored People which had backed the Negro plaintiffs from the start, then asked the federal court to name Gov. Davis and Louisiana Atty. Gen. Jack Gremillion defendants in the Bush suit and brought under its ruling.

The NAACP also sought to have the state restrained from enforcing any state court injunction against integration.

On July 30, the state court granted the state's plea and enjoined the school board from making any integration moves. The board then moved into a legal no-man's land, caught in the cross-fire of both state and federal rulings, and threatened with action by both forces for failure to comply.

At about this point four members of the five-member board appeared to have reached the conclusion that the federal court orders must be obeyed.

**HEATED ORATORY**

A fifth member—in an increasingly bitter conflict with his former colleagues — sided with the state rulings and demanded that the other four join him. They refused. All became figures of controversy in the heated oratory and excitable public meetings which filled the summer months.

On Aug. 17, 31 white New Orleans taxpayers, fearing the threat of school closure implied in new state laws, filed suit in federal court to block interference with the board and closure of the schools.

On Aug. 26, before a panel of three federal judges hearing this suit, Gremillion called the court "a den of iniquity" and stormed out of the room. The court cited Gremillion for contempt. And it ordered both Gov. Davis and Gremillion not to interfere with the integration plan. Gremillion was found guilty of contempt and given a suspended sentence.

On Aug. 29 the school board won a stay in the integration order until Nov. 14; and on Sept. 8 schools opened without a hitch, segregated as usual, but with the showdown fast approaching.

**CATHOLIC SCHOOLS**

During all the years of this litigation the Catholic schools of New Orleans had been running a parallel but less-troubled course in moving toward integration.

In the early 1950s Archbishop Joseph Francis Rummel had issued a letter to his clergy which was read in all churches declaring the principles of segregation to be immoral and ordering it abandoned in the churches.

Strong resistance by many Catholic parents ultimately blocked the extension of this order to the Catholic schools. Some Catholics had become all-out segregation leaders; notably the no-quarter member of the public school board.

The archbishop took the stand that parochial schools would be integrated "no later" than public schools and repeated his indictment of segregation. The church school system marked time then while the court battle was being fought out, pledged to move as swiftly as federal orders advanced the public policy.

On Oct. 10 the school board voted to use the state's pupil placement law to process applications of 135 Negro first-graders—and ultimately whittled the list down to five girls, who were then transferred to white schools.

**STATE IN ACTION**

Before the fateful date arrived, Nov. 14, the state went into action again. The Legislature passed dozens of bills; one stripping the board of power; another naming an eight-man legislative committee to take over the city's schools.

Judge Wright enjoined the committee from interfering with the board.

Davis again summoned the legislature. New bills with a confusing similarity to earlier measures ordered the doctrine of "interposition" invoked — interposing the state sovereignty like a shield between the federal courts and the citizens of New Orleans.

The legislature sent sergeants-at-arms (state troopers in plain clothes, unarmed) to keep schools closed.

The state education superintendent, backing the governor, declared a statewide school holiday.

**BOARD OBEYS**

Judge Wright cited the superintendent for contempt; he ordered the schools opened and integrated in New Orleans. The city board obeyed. City police in large numbers were ordered to the two downtown schools affected to keep order.

Shortly after 9 o'clock three little Negro girls, flanked by parents, U.S. marshals, and guarded at a distance by ranks of city police, walked up the steps and through the door of McDonogh No. 19, and one entered the William Frantz School. (The fifth child had withdrawn).

Small crowds roped off at a distance began to jeer. Threats were shouted. Teen-agers waved improvised "KKK" flags and the Confederate battle flag. Some sang segregation chants to the fighting song of the Yankee armies, "Battle Hymn of the Republic."

The opening hours of the protest movement were mild. But a White Citizens Council meeting brought some 6,000 fighting segregationists together Tuesday night.

They were exhorted by familiar leaders—whom they have followed through these troubled years—to take to the streets in protest, physical resistance, on the following day.

Hundreds did, perhaps thousands, and the violent scenes of Wednesday followed. A new troubled cycle had begun, to run its unforseeable course.

The Catholic school leaders were bitterly attacked by Citizens Council speakers at the Tuesday mass meeting for a reported plan to integrate parochial first grades on Nov. 21.

Following the meeting, Msgr. Henry Bezou, archdiocesan superintendent, said: "No definite order for actual desegregation has been issued at this time and none will be issued until the archbishop and his counselors deem it prudent and advisable."

DIVISION OF BEHAVIORAL SCIENCE RESEARCH
REEL 179

# N. O. Schools Face 'No Funds' Closing

Birmingham Post-Herald
Birmingham, Ala.
Sat. 11-19-60

NEW ORLEANS, Nov. 18 (UPI)—The New Orleans School Board said today it may not be able to keep its schools open much longer even if a Federal court lifts the integration order that has resulted in abandoned classrooms.

Racial violence disappeared again with daylight and a light drizzle. But at one of the two integrated elementary schools, three Negro girls sat all alone—the 467 white students boycotted classes.

The three-judge Federal court took under advisement the school board's motion to stop integration, at least temporarily, and the state's announcement that it is interposing its authority between the court and the schools.

But School Board Attorney Sam Rosenberg, in an impassioned courtroom speech, said that "from a practical point of view, the board is reaching a point that regardless of the orders of this court, we soon will be unable to operate. We are running out of money and the banks won't give us any.

"And rightfully so, probably—they don't know who's running the schools. The state government won't give the board money and it must meet a payroll of nearly $2 million Nov. 28.

Atty. Gen. Jack Gremillion appeared before the court to represent dozens of officials who had been ordered to show cause why they shouldn't be permanently restrained from meddling with the schools. Gremillion moved to dismiss the three cases in question—all orders restraining virtually the entire state government—because the state no longer recognizes the court in integration matters.

U. S. Atty. M. Hepburn Many said it was a "grave misconception" that a state can "put itself out of reach of Federal law."

Court sources said they expected prompt rulings from the judges—possibly even tomorrow.

It was the first test of Louisiana's theory of interposition—that a state has the right to ignore Federal orders when it feels the government is usurping powers not delegated to it.

# 3 Negroes All Alone In Big School

Birmingham Post-Herald
Birmingham, Ala.
Sat. 11-19-60

NEW ORLEANS, Nov. 18 (UPI)—Three little girls had a school all to themselves today. There were more than 20 teachers, a principal, a cafeteria with cooks, the janitors and maintenance men.

But only three pupils—three six-year-old Negro girls in the first grade.

All the other 467 white children at McDonogh grade school stayed home.

This was the fifth day of classes for the Negro girls at the previously all-white school. They had watched the number of their classmates shrink each day, most of them walking out Wednesday. Only one other student was with them yesterday.

"Mama, them white children just got up and walked out and the teacher didn't even know they were going," one of the girls told her mother.

Today they were alone.

They came to McDonogh, a three-story grey stucco building with bare dirt surroundings on a busy street, shortly before the bell at 8:45 a.m. They were driven by a U. S. Marshall in his car. Their parents did not come with them.

At the front steps they got out. One child carried her books in a red scotch plaid satchel. The morning was drizzling and gloomy. Across the street a group of about 20 persons, mostly women, jeered as they entered. The children appeared not to notice.

They went to their first grade classroom which usually has about 20 students. Their teacher bid them good morning and they started in on spelling. It amounted to being tutored almost individually.

The other teachers sat in their classrooms and worked on the courses they will give when the children return. Time was heavy on their hands and they walked occasionally to the basement cafeteria to sip coffee and chat.

The place was strangely silent. At noon, the three girls came to the cafeteria where a free hot lunch is served daily. Then they went back to class.

At 3 p.m. they came out again to be driven home. By this time about 75 persons had assembled but they were not so noisy as they had been on previous days.

At William Frantz School, a yellow brick structure about a mile away, the picture was much the same except there was one Negro girl and four white children.

At the Federal court, adults were arguing heatedly about integration and interposition and school appropriations.

None of the Negro parents has attempted to explain to the girls what this is all about. All they know is that they are all alone in a very big school.

# A Tense New Orleans Awaits Court Verdict

The Atlanta Constitution
Atlanta, Ga.
Mon. 11-21-60

By JOHN C. WARNER

NEW ORLEANS (UPI)—The city and state waited tensely Sunday for a federal court ruling on whether New Orleans must press on with integration of its public schools.

A new flareup of smouldering racial tension was feared if the panel of three federal jurists orders four small Negro girls kept in two previously all - white schools.

Appearance of the Negro first-graders in the two schools last week resulted in a total boycott of the schools by white students by week's end.

All public schools in the state begin a week's holiday Monday because of a series of teachers' meetings and the Thanksgiving holiday.

However, elimination of harassing and jeering crowds at the two newly integrated schools as the Negro children went to and from classes was counterbalanced by giving high school youths a week with nothing to do.

The teen-agers comprised by far the largest portion of the mob which demonstrated last Wednesday and of the groups which gathered each day at the schools singled out for the start of integrated classes.

(In Palm Beach — five representatives of the Louisiana state government demanded of President-elect Kennedy Sunday a clear-cut stand on future federal policies toward enforcing racial integration of public schools.

(The five men had asked to see the president-elect, but Sen. Kennedy declined to see them. Instead, he designated Clark M. Clifford, Washington attorney, as his representative to receive a joint resoultion of the Louisiana Legislature and an executive order signed by Gov. Jimmie Davis.

(Clifford met with the group for 40 minutes late Sunday afternoon shortly after his arrival in Palm Beach. The Louisianans left almost immediately for Baton Rouge.)

**NEW ORLEANS QUIET**

Usually gay New Orleans, meanwhile, was very quiet—unusually quiet. Police said Saturday night was the calmest the city had experienced in months.

Business was reported down sharply in the restaurants and night clubs of the French Quarter where a 17-year-old Negro youth went berserk Saturday and stabbed a seven-year-old white boy before police shot him down. The Negro, Donald Erion, was reported in serious condition with a head wound at Charity Hospital.

The three-judge panel, which includes Judge J. Skelly Wright who originally ordered New Orleans' schools integrated, may rule Monday on the legality of a move by the Louisiana Legislature to "interpose" its authority between the federal government and the city schools.

**CATHOLIC MESSAGE**

The court may also rule on the appeal of the city school board for a temporary halt to the integration program. The Legislature has cut off state funds and the board, faced with payment on teachers' salaries on Wednesday, is running out of money.

At Catholic churches throughout the city Sunday, a message was read from the archbishop of the diocese calling upon all citizens for calmness and obedience to law and order. The city's numerous Catholic schools have not yet been integrated but they are expected to be as soon as public school integration is satisfactorily underway.

**LONG ASKS DELAY**

U.S. Sen. Russell B. Long Sunday urged President-elect John F. Kennedy to "hold back on civil rights legislation for a time" until he can get favorable action in other fields.

14d(1) 1960 LOUISIANA NOV.1960
NEW ORLEANS

# DECISION WAITS ON PLEAS TO LIFT PUPIL INTEGRATION

## Gremillion, Other Principals at Hearing

JACK P. F. GREMILLION (left), attorney general of Louisiana, arrives at the federal courtroom where a three-judge court conducted Friday's hearing. Gremillion filed a motion to dismiss the original school integration case on grounds that the state has interposed itself. At right are state school superintendent Shelby M. Jackson (left) and Harry Booth, Shreveport attorney and Louisiana Democratic national committeeman. —Photos by The Times-Picayune.

### U.S. Judges Give No Hint When They Will Rule

A three-judge federal court Friday took under advisement all arguments in legal proceedings aimed at lifting New Orleans public school integration orders.

**It left in effect the federal orders that have integrated McDonogh No. 19 and Frantz Elementary schools since Monday.**

**The tribunal adjourned without indicating when it would decide the matters.**

Meanwhile, Catholic schools in New Orleans pondered a desegregation plan. Date for the start of the plan was still in doubt.

**COMPLETE BOYCOTT**

As the public school system ended its first full week of desegregated operation Friday, a boycott of McDonogh 19 by white pupils was complete, and only five children attended Frantz.

Only three Negro girls attended first-grade classes at the former and only only four white children and a lone Negro girl attended Frantz on Friday.

**Generally in the city's school system, there was a gain of 509 students from attendance the day before in white schools, but a total of 12,157 pupils still were absent.**

There were no demonstrations in New Orleans Friday as the school segregation issue shifted to federal court.

**CASES BEFORE COURT**

Before the court were these cases:

1. A suit anjoining state and local officials from interfering with implementation of a federal court-ordered desegregation plan.

2. Another suit by a group of white citizens which seeks to enjoin the Legislature from seizing control of New Orleans schools from the Orleans parish school board.

3. The school board's own suit asking that the federal court suspend its desegregation order until federal and state differences can be resolved.

A hearing on a contempt citation by the federal court against Shelby M. Jackson, state superintendent of education, was postponed indefinitely.

**JACKSON CASE DELAYED**

He as cited because he ordered a statewide school holiday last Monday at a time when he was one of the state officials enjoined from doing anything to interfere with the court's integration plan.

On another judicial level, the Louisiana state supreme court approved action of a lower court in refusing to reactivate in the state court an injunction suit by the Legislature against the school board.

That case was removed to federal court a few hours after civil district court Judge Luther E. Hall enjoined the school board from interfering with the Legislature.

The supreme court Friday said that the case was improperly removed, but held also that no further action should be taken at this time.

**Meanwhile, school officials surmounted a low financial hurdle Friday—a $45,000 weekly payroll for 874 maintenance, transportation and food service workers, but viewed a $1.9 million monthly payroll for teachers, due Wednesday, with some concern.**

School Supt. James. F. Redmond said the Friday payroll was made when the Whitney National Bank "agreed to honor our checks." He said officials are "negotiating hopefully" with the banks to honor the teachers' checks. He said it was "a desperate situation." No efforts have been made to secure federal funds for these salaries.

**POLICE WORK EASED**

With tempers cooled considerably after a climactic outburst of emotions on Wednesday, Police Supt. Joseph I. Giarrusso announced that police will return to normal eight-hour shifts effective Saturday at 7 a. m., and officers will start getting their regular days off with pay.

Since last Monday, all leaves and furloughs had been cancelled and policemen worked 12-hour shifts without any off days.

**Friday was a quiet day at the two desegregated schools. A booing section of no more than 100 persons, including children, formed at both schools in midafternoon when US deputy marshals escorted the four Negro children from the buildings to their homes.**

**The assemblies were considerably smaller in the drizzly morning when the Negro girls were brought to the schools.**

At Charbonnet and N. Johnson, about a half dozen blocks from McDonogh 19, police picked up two Negro juveniles with crude pieces of wood in the shape of pistols. Police said they admitted they were fashioning zip-guns "to hunt with."

**ATTENDANCE GAINS**

In making public Friday's school attendance records, O. Perry Walker, first assistant superintendent of schools, said he was encouraged by the increase.

Absenteeism was reduced at the senior high schools whose students reportedly participated in recent demonstrations, he said.

Mayor deLesseps S. Morrison backed the school board's suit asking the federal court to review its order to desegregate city schools.

# School Board Members, NAACP Attorneys Attend Hearing

—Photos by The Times-Picayune.

PRINCIPALS in the three-judge federal court hearing on a mass of legal pleadings in the school desegregation case included members of the Orleans parish school board (left) and Negro attorneys for the National Association for the Advancement of Colored People (NAACP). From left are Theodore H. Shepard Jr., Matthew R. Sutherland and Louis G. Riecke, members of the board, and Dr. James F. Redmond, superintendent; A. P. Tureaud, New Orleans attorney for the NAACP, and Thurgood Marshall, national attorney for the NAACP.

14d(1) 1960

LOUISIANA

NOV.1960
NEW ORLEANS

# SUPPORT OF STATE BY TEACHERS ASKED

## Would Back All Acts in Orleans Crisis

By ROBERT WAGNER
(T-P Staff Correspondent)

BATON ROUGE, La. — New Orleans school integration became a prime issue Monday at a four-day, 66th annual convention here of the Louisiana Teachers' Association.

**The LTA's four-man, policy-making resolutions committee held a hearing Monday afternoon on a proposed resolution supporting "each and every act" of state officials and the Legislature on the New Orleans crisis.**

The resolution was prepared by Mack Avants, who was identified as a delegate from New Orleans, but proved to be director of teacher recruitment for the state education department.

Dr. E. R. Minchew, Castor, committee chairman, emphasized that the resolution could be modified before it is presented to the LTA general assembly Wednesday morning for adoption.

### GOV. DAVIS SPEAKS

In other actions, the Louisiana School Superintendents Association voiced its support of the governor, the state education superintendent, and the state Legislature in "the New Orleans situation."

**At a general session Monday night, in Baton Rouge High schools, Gov. Jimmie H. Davis said "recent developments" should not be interpreted "in the light of prejudice or ill-feeling between our two races . . ."**

He said "schools are not the issue." The "basic issue," he said, is whether Louisiana, "or any other state," can "continue to be free to exercise its own authority in internal affairs."

**State education Supt. Shelby M. Jackson, who also addressed the Monday night session, said, "Now is the time to unite your efforts to put a stop to the cancerous movement that seeks to destroy the sovereignty of the state of Louisiana . . ."**

Monday's session also featured moves to have the teacher tenure law changed, to include among causes for dismissal the advocating of integration of the races.

A resolution to this effect was approved by the house of delegates, and was expected to come before the general assembly for final action Wednesday.

Some LTA leaders said the present state law already covered the areas mentioned in the resolution. A resolution was proposed before the resolutions committee to protect those advocating segregation.

### REFER RESOLUTION

Dr. Minchew said the resolution, designed to protect those who "fight to preserve segregation," would be referred to the legislative committee for study. Some said such a resolution was "unecessary."

Dr. Howard Turner, chairman of the LTA tenure committee, said legislators "might get the idea" of "tossing our tenure law out the window," if the issues of segregation and integration were raised.

**The LTA convention will end Wednesday with election of new officers. Expected to be elected president, without opposition, was Mrs. Annie B. Johnston, Benton, who would succeed Merritt S. Beadle, Broussard.**

Members of the resolutions committee who held a hearing Monday afternoon on various resolutions were, in addition to Dr. Minchew:

Milton C. Hall, Monroe, assistant superintendent of Ouachita parish schools; D. C. Wimberly, Springhill, principal of Springhill Junior High school, and Arnold Simmons, principal of Brownsfield elementary school in Baton Rouge.

The only controversial resolution assailed the "usurpation of power" by federal district Judge J. Skelly Wright, and endorsed "each and every act" of the governor and the state Legislature.

### 'CONSOLIDATION' OF OTHER

Minchew said the resolution was a "consolidation of several resolutions," presented by delegates from various parts of the state. It was prepared by Avants, who insisted the wording not be altered.

Dr. Edward B. Richards, University of Southwestern Louisiana, Lafayette, objected to some of the wording. "As teachers, I do not think we should go so far out on the limb," he asserted.

However, Avants responded, "it's my resolution, and that's the way I feel." If teachers were not willing to support the resolution, he said, "they are not deserving of the name of teachers."

**One delegate asked, "I wonder if we would not be endorsing civil disobedience of teenagers in New Orleans?" Avants replied, "The resolution does not say that . . ."**

Ray J. Bhuchez, Iota school principal, suggested the resolution be modified to ask for a federal court delay in the Orleans integration issue, until the matter has been settled in the courts.

"As teachers we are representing our children," he declared. "I think we should request it be a legal fight, and that our children be left out of it."

The resolution made no reference to "open" schools. A New Orleans delegate suggested the LTA should go on record as saying "something on open schools."

Dr. Minchew said the wording of the resolution could be revised by the committee, which was slated to hold executive discussions on the resolution before coming up with the final version.

### PHRASING QUERRIED

Major discussion centered upon the phrasing "usurpation of power" by Judge Wright. Some suggested the LTA should express a feeling Judge Wright had usurped power, rather than state it as fact.

"We don't know even what's going on," said a New Orleans delegate. "We don't know if we're going to be paid next week."

"I don't see how we, who are not lawyers, can come here and give a legal answer to a question that has disturbed the best legal minds in the city, in the state, and in the nation."

**But Joseph Peak, Denham Springs teacher, said "we have to decide if we are going to fight for our right of free choice. It is no longer a legal, or a political question.**

"We can't stand here today only as teachers, but also a parents. We don't need to be mealy mouthed. Lte's be firm."

**Dr. A. E. Simpson, University of Southwestern Louisiana, said teachers should place more stress upon keeping schools open, and not cheer when reference was made to extremes involving possible closed schools.**

## New Orleans Area Teachers at Convention

—Photo by The Times-Picayune via AP WIREPHOTO.

**AMONG THOSE PARTICIPATING in the Louisiana Teachers Association convention in Baton Rouge are (from left, seated) Mrs. Mat Dantin, Marrero Junior High school; Ashley Schexaildre, Jefferson parish supervisor of elementary education, and Mrs. Maurice Robbins, Marrero Junior High; (standing) George Harris, Gregory Junior High, New Orleans; Lenox Siess Jr., McMain Junior High, New Orleans; and Edmund Russo, Fortier High, New Orleans.**

the first Orioles ever named in

Avants said, "there is no refernce to schools closing. We are just giving support to our public officials . . . in the greatest fight this state, or any state, has ever had."

After one deleate had said "one of the members of the Legislature" had advocated "civil disobedience" in New Orleans, "and that's where we had all our trouble," Avants declared:

### FOR OR AGAINST

"You can't try to read something into the statement that isn't there. It provides only for no appeasment. You are either for something, or you are against it."

C. L. Perry, assistant superintendent, Caddo parish, said, "I personally feel what we do won't make any great strides in helping one way or another. This is as helpful and unharmful as anything we can do."

Here was the text of the proposed resolution:

"Be it hereby resolved, by the Louisiana Teachers Association, in regular session convened, in the city of Baton Rouge, Louisiana, that the position of this association, which has always been unalterably opposed to integration in any form be reaffirmed;

**"And the unity of this body is hereby expressed by a full and complete endorsement and complete endorsement and appreciation of each and ever yact of Gov. Jimmie H. Davis, Lt. Gov. C. C. Aycock, state education Supt. Shelby M. Jackson, the Louisiana state board of education, Attorney General Jack P. F. Gremillion, House Speaker J. Thomas Jewell, and honorable members of the state Senate and the House of Representatives, and the honorable members of the joint legislative committee on segregation, and the honorable members of the sovereignty commission of the state of Louisiana, and of all other public officials, who are dedicated to the . . . maintaining our Louisiana public schools system on a segregated basis; and . . .**

"Be it further resolved, that

usurpation of power as shown in the rulings of Judge J. Skelly Wright and the resulting encorachment on state sovereignty be resisted and fought by every legal and honorable means; and . . .

"Be it finally resolved, that copies of this resolution be made available to all parties and persons named herein, to the Louisiana congressional delegation, to the president and vice-president of the United States, to the president elect and vice-president elect of the United States, to the governors of all the states, to the representatives of the press, radio, and television . . ."

**'HONORABLE' MEANS**

Avants said the emphasis was upon "honorable" means. Violence, or disorderly conduct, or "civil disobedience," he said, would not be "honorable."

Gov. Davis, in his Monday night address, said, "I would have preferred to have tested the doctrine of state sovereignty using our parks, or our beaches, or some tangible but dispensable function of Louisiana government, rather than to see something as vital as our system of education become enbroiled in a political tug-of-war.

"But it has fallen to be my lot, and yours, to become participants in a massive effort to prevent our states from becoming satellites of a supreme and unrestrained central government.

"I have said before, and I will repeat again tonight, that schools are not the issue."

**Davis said he believed the "overwhelming majority" of citizens of both races in Louisiana" favor the system of education that we have enjoyed in the past.**

"It is significant that, of over 50,000 colored children in the Orleans parish school system, there were only about 100 applicants for, transfer to white schools.

"Precentagewise, this means that only one-fifth of one per cent of the entire colored school population were prersuded to lend their efforts to upset our school system.

"I believe this proves that the efforts to control our schools by federal government are bing rejected by the very people for whose benefit this is supposed to be done.

—Photo by The Times-Picayune via AP WIREPHOTO.

**GETTING TOGETHER at the meeting of school superintendents during the Louisiana Teachers Association convention in Baton Rouge Monday were (from left) Aubrey Brooks, Catahoula parish; Roscoe White, Caddo parish; and Shelby Jackson, state superintendent of education.**

# White Citizens Council May March On Capitol

St. Louis
Kansas City, Mo.

By JACK V. FOX

NEW ORLEANS — (UPI) — The "city that care forgot" couldn't forget integration cares this week. White Citizens' Council leaders urged students to dress in mourning for their two integrated schools and march on the legislature.

Hard on the heels of Mayor DeLesseps Morrison's nationally televised blast at upstate "demagogues," a move was undertaken to fill chartered buses with black-clad children and go to the capitol in Baton Rouge.

The black attire was suggested "as a symbol of mourning for the two schools and state sovereignty." The legislature reconvened Tuesday its special session to fight integration.

A public school vacation this week is giving the city a breather while it awaits a ruling from three federal judges on a motion by the local school board that integration be discontinued in the best interest of all concerned.

One of the judges on the panel handed down the order under which four six-year-old Negro girls were placed in two schools where formerly only whites attended, touching off waves of disorder.

# Louisiana House Attacks Courts, U.S. President

Atlanta Daily World
Atlanta, Ga.
Thurs. 11-24-60

## STOPS JUST SHORT OF CALLING 'COMMUNISTS'

By GERALD MOSES
(United Press International)

BATON ROUGE, La. (UPI)—The Louisiana House of Representatives, foiled at every turn in its efforts to end integration of New Orleans schools, Wednesday accused President Eisenhower and the federal courts of being involved in a Communist conspiracy.

The resolution stopped just short of calling them Communists. But it bogged down in the Senate, where one lawmaker said it was "the worst piece of legislation I have ever seen" and was toned down to more vague terms.

The House, meeting under the watchful eyes of black-clad mothers and children "mourning" for their integrated schools, passed the resolution unanimously.

It said that the "U. S. Supreme Court, supported by the entire federal government, is making common cause with the Communist conspiracy to destroy our public school systems and our standards of education."

**TONED DOWN IN SENATE**

In the Senate, it was toned down to read "some" of the federal judiciary and "some of the members of the executive branch" before it passed 25-11. The House had already adjourned until Sunday, so it could not vote on the Senate amendments, which leaves the resolution hanging in limbo.

The Legislature passed another resolution ordering $2,535,312 be deposited with the Legislature to pay the teachers of the embatled New Orleans schools. The resolution ordered that when the teachers' checks are mailed to them, the envelope includes a note pointing out that the Legislature, not the school board, was paying them. Segregationist leaders said that New Orleans School Superintendent James F. Redmond and the school attorney Sam Rosenberg would not get paid.

New Orleans lawmakers led the Senate opposition in resolution condemning federal government. It got another portion, which said that an "atheistic, communist menace . . . has infiltrated the highest council of our nation" to read "some of the highest council . . ."

"This is too strong," said Sen. Robert Ainsworth. "It implies a charge of treason."

**DOESN'T LIKE METHODS**

Another senator said that "calling Eisenhower a Communist just because I don't recognize a Supreme Court decision is not my way of doing things."

The resolution said that when the Supreme Court made its original integration ruling, it did so on the authority of alleged "Communist writings" and therefore adopted the Communist conspiracy against the American people . . .

The Legislature also voted to give $25 apiece to the state policemen who, at the Legislature's instructions, tried to enforce a holiday when two elementary schools were integrated by four Negro girls last week.

The state policemen, who took no action when school officials ignored their announcements that schools were supposed to be closed, will get a total of $1,350.

## Moral Blindness

Primary responsibility for the disgraceful New Orleans school situation rests, not on the howling mobs of teenagers, the white mothers screaming and brawling in the streets, the guitar-playing hillbilly Governor ("You are my sunshine — ol' Jimmie"), or the demagogues from the canebrakes and bayous who make up a majority of the state legislature, but on the "moderates," the burghers, "the good people" of this, the most civilized of Southern cities. After Little Rock, the moderates knew what to expect. They had time to prepare. But what did they do? In general, they adopted a "good position" — good, that is, for twenty years ago. They announced that decisions of the Supreme Court and the lower federal courts must be respected. They said that the schools must remain open. They came out for law and order. They alerted the police. But they made no positive effort of any kind to win popular acceptance of Judge Wright's long-deferred order. The churches, the trade unions, the teachers, the press, the civic organizations, the business community were not urged to take the lead in offsetting the counter-pressures which were so clearly being mobilized by the opposition. Even in their insistence that the schools remain open, the moderates, in the main, took care to point out that they were, as individuals, opposed to integration — and thus failed to raise the moral issue to which the community might have responded: What about those four little Negro girls? What about *their* rights?

The failure is symptomatic of a basic national malady: We are confused about the nature of moral issues. On many matters, reasonable men, holding views that are in conflict, can find a middle ground. But on moral issues, there is no "moderate" position. "In contrast," as Judge William Hastie said in a recent speech in New Orleans, "half-truth is usually just as unsatisfactory as untruth. The insult of spitting on a man is not mitigated by expelling only a little saliva. The sneak thief does not reform when he stops picking pockets, except upon Saturdays. In brief, when right and wrong are involved, a compromise solution is likely to be no solution at all. . . . I never know whether the moderate on segregation is one who is half-right or half-wrong. In any event, his position is untenable. For in such a matter, half-right is still wrong and half-wrong is never right."

Let Atlanta, Birmingham, Charleston and the other Southern cities next in line study well the failure of leadership in New Orleans, where the moderates failed in turn to learn from the experience of Little Rock. As for the New Orleans moderates, let them reread Lincoln: "Let us not be diverted by — those sophistical — gropings for some middle ground between the right and the wrong, vain as the search for a man who shall be neither a living man nor a dead man. . . . Neither let us be frightened from our duty by threats of dungeons for ourselves. Let us have faith that right makes might, and in that faith, to the end, dare to do our duty as we understand it."

# Jeers, Taunts Ignored By 4 Little Girls

Parents or guardians of the four little six-year old girls who enrolled in two previously all-white elementary schools said during a press and television interview, "We are not afraid; we are determined to keep our children in school and we believe our government will protect us."

The interview was held in the offices of Attorney A. P. Tureaud, counsel in the school integration case, for representatives of the Louisiana Weekly, The Associated Negro Press, the Pittsburgh Courier, Associated Press, United Press International, English, Australian, New York and local newspapers.

The children whose entry into the William T. Frantz and the McDonogh 19 Elementary Schools focused the international spotlight on New Orleans are not frightened nor affected in the least by the hooting and jeering crowds, their parents or guardians declared.

"My little girl took it wonderfully," one of the mothers said. "She is thrilled at being in a new school and says the teacher and other pupils are nice to her."

Mothers or guardians of the three children assigned to the McDonogh school said none of them are affected and talked only about their lessons and classroom activities on their return home.

All parents said they had refrained from asking their children questions regarding incidents or reactions but waited for the children to talk voluntarily.

One grandmother said she realized that "there is no victory without labor" and said she did not believe her grandchild was being subjected to an ordeal or to danger."

"In our home," she said, "children are taught that all persons are equal. So our little girl thought it natural for her to be in a class with other pupils, even though they were white."

Another mother said, "The nearest my child came to saying anything about an incident was when she remarked that four of the children left the class and the teacher didn't know they were gone."

Incidentally, the two schools were almost totally boycotted by white pupils after the Negro children entered.

Questioned as to why they had sought to have their children transferred to the previously all-white schools, the parents said because these schools were closer to their homes and their children were a long distance from any other schools.

They were emphatic in stating that they sought the transfers of their own volition and not because of any encouragement from another other individual or organization.

"We are determined for our children to remain in those schools," the spokesman for the group said. "They are contented and are getting excellent instruction. We were not frightened at first and we are not frightened now. We are American citizens, we believe we have a good government that will protect us."

Asked what the children thought of being escorted to school by U. S. Marshal, the parents said, "They just regard it as someone taking them to school. We never question them about such things. We have better sense than to do that."

One mother admitted that her child was a bit frightened on the first day by the yelling and assortment of noises as she entered the school and cried for a few minutes. "After that she was all right," the mother said.

The parents were interviewed with their backs to the cameras to prevent their being identified.

Despite these strict precautionary measures, one father has been fired from his job because his child enrolled in the white school. He was an attendant in a downtown Gulf service station.

During the interview, he declined to attribute the blame for his losing the job to the enrolling of his child in a white school.

Fathers of two of the other children are federal employees and the father of the fourth is a shipyard worker, newsmen learned.

None of the local newspapers have carried names of the children or their families in a voluntary effort to avoid reprisals.

# Scores Are Attacked For "No Reason"

Quiet prevailed over a disgraced New Orleans last weekend after its one-day orgy of mob violence and wild disorder had been flashed over the entire world by television, radio and newspapers.

Demonstrations by thousands of white teenagers and young adults paralyzed the business district early Wednesday, Nov. 16, a scant few hours after such rabid segregationists as Leander Perez and Willie Rainach had word-whipped and stirred to the explosion point white persons who attended a meeting of the White Citizens Council in Municipal Auditorium.

More than a score of Negroes and whites were injured and more than 200 persons were arrested before local police were able to restore order. However, Police Supt. Joseph I. Garrusso and his men proved themselves capable of handling the situation.

Race-baiting crowds which gathered at the William T. Frantz and McDonogh 19 Elementary schools to jeer the entry of four little Negro girls into the previously all-white facilities committed no acts of physical violence on Monday and Tuesday. The activity on those days was limited to jeers, catcalls, screaming uncomplimentary epithets and waving crudely-printed, misspelled signs.

The Citizens Council met on Tuesday night and it was decided, among other things, to "march on the Orleans Parish School Board." One speaker pointed out it would be all right for students to remain away from classes because the state's compulsory attendance law had been repealed.

Another speaker said, "One day, one month or one year of absence from school can be made up, but integration is forever fatal."

The Louisiana Legislature meeting in Baton Rouge on the same days encouraged white mothers to keep their children home from the two newly integrated schools, and made blistering remarks about New Orleans mayor deLesseps S. Morrison, the Orleans Parish School Board, Federal Judge J. Skelly Wright and the U. S. Supreme Court.

Emboldened by the prospect of legislative support and inflamed by rabble-rousing race-baiters, thousands of young whites converged on the business district early Wednesday and tied up traffice to the extent that the entire area resembled a huge parking lot.

Snarling and vicious, this huge trouble-seeking mob chanted, "2-4-6-8, we don't to integrate; 8-6-4-2, we don't want a jig-a-boo" as it marked in the direction of the school board office.

Thwarted by scores of police officers in the Carondelet Street area, the mob headed for City Hall where hundreds of others were already assembled.

Enroute, one segment spotted Donald Campbell, 19, a porter who was returning to his place of employment from lunch. Immediately the cry went up from the crowd, "Git that ...."

With the savageness of a wolf pack, the mob pounced on him and when police managed to disperse them, Campbell lay on the ground slashed across the chest, painfully injured. Some 40 white youths fled the scene.

The second victim of record, Theodore J. Lagarde, 26, of 3208 Pine Street, was on an errand for his employer when a score of white youths beat, stomped and kicked him. He managed to run to the Dryades and Lafayette Street intersection where Negroes rushed from their homes with all types of weapons and stood the mob off.

At Flint-Goodridge Hospital, Lagarde was treated for fractures of eight ribs, multiple lacerations of the head, mouth, body and legs.

Jules R. Payne, 37, of 2809 Clara Street was attacked by a half-dozen white youths at Girod and Loyola Streets. He was beaten and cut on the ear.

A Negro working in the neighborhood secured the license number of the automobile in which a group of white youths fled after slashing Campbell. This number has been given to a member of the District Attorney's office.

Campbell was treated at Charity Hospital and released.

The riotous youths raced through City Hall seeking the mayor. One group stormed into the State Supreme Court building under the mistaken belief that Federal Judge J. Skelly Wright would be there.

The howling mob, waving Confederate flags and segregation signs, were on the verge of getting out of control and police were obliged to use motorcycles, horses and fire hose to drive them back. Scores were arrested and patrol wagons were kept shuttling back and forth to the various precincts.

The huge crowd broke up and formed a number of smaller mobs which roamed the city looking for Negroes to insult or injure.

During the afternoon many other persons were injured. Included was Miss Jeanne Flot, 23, 1010 St. Claude, who was cut by flying glass when white thugs threw a bottle through a bus window.

Mrs. Josephine Stephenson, 29, was knocked unconscious when a chunk of ice was thrown into a bus in the French Quarter. Another woman was reported shot in the leg while walking on Melpomene Street. Scores of persons were treated in Charity Hospital for lacerations, bruises and minor injuries.

Negro youths began retailiating Wednesday afternoon and several whites were injured.

Mayor Morrison made radio and television appeals for law and order. He urged parents to keep their children off the streets. Governor Jimmie H. Davis, from Baton Rouge, issued an appeal for law and order.

During the night, police arrested more than 100 persons for loitering, and about half that number for carrying dangerous weapons which included knives, hatchets, machetes, revolvers, solid copper "walking sticks," tape-wrapped chains, ice picks, and even "Molotov cocktails" -- wick equipped bottled filled with gasoline.

Thursday morning, police rushed to the foot of Canal Street and quelled a disturbance between Negro and white longshoremen before the row erupted into fighting. Negro longshoremen, according to reports, objected to being hired by a white foreman whom they said was a member of the Citizens Council.

That afternoon, Clarence "Chink" Henry, president of Local 1419, International Longshoremen's Association, AFL-CIO, in a television interview, deplored the incident, cited the traditional good relations between Negro and white longshoreman, and said agitators, regardless of race, would not be tolerated on the riverfront.

Police reported that the past weekend was one of the quietest in months.

This week because of the conventions of the two teachers' organizations in Baton Rouge, tempers appear to the world-wide disgrace of New Orleans contemplates have caused it to be subjected.

Meanwhile, the entire City which race-blating politicians

All public schools are closed

# New Orleans Integration Question Up Again With All Eyes On Judges

The News & Courier Charleston S.C.

Mon 11-28-60

NEW ORLEANS, La. (AP)—After a week of calm, the public school integration question flares again here Monday with all eyes on a three-judge federal panel considering whether to suspend the order to integrate.

Meanwhile, the legislature met in Baton Rouge Sunday night, returning to its 30-day special session called to work on new maneuvers in the federal-state dispute over race-mixing in schools.

P 5-B

The prime decision awaited from the special federal court, which includes U.S. Dist. Judge J. Skelly Wright is on a request that Wright's integration order be suspended.

The Orleans Parish School Board asked for the suspension after violence erupted through the city two weeks ago when four Negro girls attended first-grade classes in two formerly all-white schools.

Although the week-long school holiday, produced by two segregated statewide teachers' conventions and Thanksgiving, have ended, pupil attendance at two schools is expected to be nearly zero.

Parents of white students at both schools set up a boycott of classes that was virtually complete at the end of the first week of integration there.

On Nov. 18, only three Negro girls were in McDonogh No. 19 classrooms and a few white pupils and one Negro girl attended William Frantz School classes. Normally the schools have an attendance of about 1,000.

Most of the white students at the schools apparently shifted to other classes. Some registered in neighboring St. Bernard Parish where Schools Supt. Joseph Davies Jr. said there was room for about 500. The Dad's Club of Frantz School said it had hired 22 retired teachers for private, segregated classes to start as soon as buildings are acquired.

Emile Wagner Jr., the only member of the five-man Orleans Parish School Board who refused to accept integrated schools, filed suit Friday to force parish Supt. James Redmond to disclose names of all pupils of the two schools.

"It's not the names of the four Negroes that I want," said Wagner. "I know who they are. I want the names of the white children in those schools so I can make arrangements to get them in school for their education."

Hearing on his suit is scheduled Tuesday in State Civil District Court.

Although new reports circulated of imminent Catholic school integration in New Orleans, the Rt. Rev. Msgr. Henry C. Bezou, archdiocese school superintendent, repeated Sunday that no definite date has been set for Catholic school integration.

# Orleans Schools Re-Open Monday

The Atlanta Constitution

NEW ORLEANS, Nov. 26 (UPI) — Four 6-year-old Negro girls, principals in the racial tension gripping the city — were scheduled to return to two previously all-white schools Monday.

The girls—along with all the public school students in the state—have been on a Thanksgiving week holiday. They enrolled Nov. 14 and it precipitated a week of violence which reached its peak the third day after integration.

Fire hoses were needed to quell more than 1,000 demonstrators marching on the offices of the Orleans Parish (county) school board.

Pub. 11-27-60

**THE BELEAGUERED** Orleans Parish school board, will be waiting for a three-judge federal panel to rule on its motion to permit a return to segregation.

The board also prepared to fight a state court action in which segregationist forces seek to learn the identities of the four Negro girls. A hearing on the case, initiated by segregationist school board member Emile Wagner Jr., will be held Tuesday.

Four other members of the board and school superintendent James Redmond, all of whom prefer integration to closing the schools, are caught between Louisiana's belligerent legislature and the federal order to integrate. Saturday, it was reported the board faces still another antagonist — the New Orleans Young Men's Business Club.

* * *

**THE** New Orleans States-Item said the civic group reportedly voted to ask the moderate board members to resign. It was reported a special YMBC committee met with the legislative committee appointed to run the schools, and later asked the board to resign.

The legislative committee has been enjoined by the federal court here not to interfere with integration.

The board said it will fight Wagner's efforts to learn the identities of the Negro children. Wagner has not said why he wants the names.

* * *

**IN OTHER** pending legal action, the three-judge court was expected to rule early next week — possibly Monday — on the board's request to de-integrate. The board asks that segregated classes be permitted until the courts determine if Louisiana's declaration of interposition will take precedent over federal law.

The Louisiana legislature has removed out of office the four segregation moderates and fired Superintendent Redmond. It has withheld money from the school district and is paying the nearly 5,000 teachers and employes of the district with state funds.

The school board, with the exception of Wagner who refuses to attend board meetings, and Redmond, remain in office behind a federal injunction against the legislature and almost every state official connected with schools.

# Classes Resume In New Orleans

Atlanta Daily World

Atlanta Ga. P.

NEW ORLEANS (UPI)—Four Negro girls and two white children returned to classes Monday in two elementary schools which once held more than a thousand white students.

Tues. 11-29-60

"You've got the whole school to yourself now", shouted a bystander as three Negro girls — all 6-years-sold in the first grade — returned to McDonogh 19 School. It was true. The last white student had left the school before a holiday shut down classes all last week.

At William Frantz School, one Negro girl went back to her first grade class with the two white students, one of whom is a little girl in kindergarten who goes home at noon every day. On Nov. 18, the last day of school before the Holiday, there were four whites in Frantz.

McDonogh had an enrollment of 467 at the first of the year and Frantz had 571.

The smallest crowds of hecklers since integration began Nov. 14 were on hand in front of the two schools today. And attendance over the entire system increased sharply over the first week of integration, when high school students skipped classes and racial violence broke out on the streets.

**CUT IN HALF**

Only 5,079 students were absent in the school system Monday, compared with 12,157 on the last day of school. One woman said the citizens council told parents to let their older children go back to junior and senior high school Monday.

A three-judge panel, pondering the school board's motion to drop integration until the fight over state rights is resolved, was expected to rule later this week.

Chartered buses and private cars took more than 400 fourth, fifth and sixth grade students from the two integrated schools to segregated classes in neihboring St. Bernard Parish County.

St. Bernard Parish School Superintendent Joseph Davies said "we are taking them up to the point that it hurts." He said his schools could only take a handful of children in the lower grades because there wasn't room for them.

A Roman Catholic priest went into William Frantz school Monday with a Methodist minister, the father of the kindergarten student. When they came out the small knot of onlookers jeered desultorily. The minister paid no attention, but the priest veered off his course, crossed the street and confronted the group.

"Have you anything to say to me?" he asked. Several persons mumbled that they were shouting at the minister. not the priest, and one man grumbled that "if I have anything to say I'll say it."

"That's what I thought," snapped the priest as he turned and walked off. He had not gotten more than half a block from the school when a group of women standing on a front porch began yelling at him. "Show me in the Bible where it says you gotta integrate."

"Oh you're so stupid and you're wearing the cloth," she said.

The priest seemed startled and said "I'm stupid, am I?" Another housewife shoved him away from the porch and the loudest one threatened to spit on him.

As he walked away, the woman said, "You'd like me to hit you," wouldn't you?"

The priest who asked not to be identified, said later that "people

# Desgregation Order Remains Intact As Court Deliberates

The Louisiana Weekly
New Orleans, La.

The important question of whether Orleans Parish Public Schools will remain integrated or will return to its previ policy of racial segregation was being pondered early this week by a special three-judge Federal Court panel which heard arguments last Friday on several cases related to this issue.

The three-judge Federal Court panel included Chief Judge Richard T. Rives, Montgomery, Ala., of the U. S. Fifth Circuit Court of Appeals and U. S. District Judges Herbert W. Christenberry and J. Skelly Wright, both of New Orleans.

At this moment, token integration which admitted four small Negro girls into two formerly all-white first grade classes last week, remains the dictum of the Federal Court.

The four Negro first-grade pupils, admitted as the result of a court battle which began September 4, 1952, completed their first week of work last Friday in the William T. Frantz and the McDonogh No. 19 Elementary schools.

Early that same day, attention focused on the Post Office Building which houses the Federal Courts where the hearings were held. Huge crowds including attorneys from all sections of Louisiana and newspapermen from all parts of the world packed the courtroom to the extent that deputy U. S. Marshals were stationed in the corridors on the first floor to keep persons from proceeding upstairs.

Motions argued before the court included one filed by Samuel I. Rosenberg, school board attorney, asking that the May 16 integration order of Judge J. Skelly Wright be suspended and that segregation be returned to New Orleans public schools.

Another of the cases combined procedurally for the hearing was that of 31 white parents seeking to enjoin the Legislature from carrying out its plan to supersede the Orleans Parish School Board and control operations of this city's school system.

ATTYS. A. P. TUREAUD & THURGOOD MARSHALL

A third case was one filed by the plaintiffs in the original suit, Earl Benjamin Bush vs. Orleans Parish School Board seeking to enjoin the Legislature and state officials from interfering with integration of New Orleans schools.

Still another case was the "United States vs. the State of Louisiana," in which U. S. Attorney M. Hepburn Many seeks to enjoin all state and local officials from interfering in any way with federal judges or marshals who implement the court-ordered school integration.

Attorneys representing the original plaintiff were Thurgood Marshall, New York, head of the NAACP legal staff; A. P. Tureaud, A. Marcel Trudeau and Ernest N. Morial, all of New Orleans.

Heading the arguments, Marshall told the court, "The people of Louisiana, including the governor and the Legislature, have known since 1954 the law of the land and it seems to me they have had enough time to decide what to do."

He said there were 50,000 Negro children in New Orleans and after eight years of litigation, four little Negro girls have been admitted to the white schools. He said he didn't believe their rights should now be sacrificed.

"It is my understanding that people's constitutional rights cannot be postponed indefinitely," he concluded.

One significant move by the State in Friday's court proceedings was the invocation of the doctrine of interposition by Attorney General Jack P. F. Gremillion in a motion to dismiss the actions on the grounds, that the Federal Court lacks jurisdiction.

The interposition measure was passed as Act No. 2 of the 12-day extraordinary session of the Louisiana Legislature. Gremillion filed a copy of the act and asked that he be permitted to dispense with reading the lengthy document. The chief judge assented.

Gremillion also introduced two resolutions adopted by the Legislature. One called for Judge Wright to recuse himself from all the cases "because of bias and prejudice."

The other resolution proclaimed the addressing out of office four members of the Orleans Parish School Board - Lloyd J. Rittiner, president; Theodore H. Shepard, Jr., Matthew R. Sutherland and Louis G. Riecke.

The Legislature also addressed out of office Dr. James F. Redmond, superintendent of New Orleans Public Schools, and Sam Rosenberg, school board attorney. Emile Wagner, a segregationist, was not included.

The U. S. attorney, in his arguments, declared that the supremacy of the Federal law has been challenged by the State of Louisiana.

"The State of Louisiana, he said, "under the purported doctrine of interposition, seeks to place itself beyond the federal law."

Attorney W. Scott Wilkinson, Shreveport, represented the eight-man legislative committee appointed by the Legislature to seize control of Orleans Parish Schools. The committee functioned briefly before being ousted by a Federal Court order signed by Judge Wright.

Arguing for interposition, Wilkinson told the court, "The people of Louisiana do not believe integration is morally or legally right and I say no court can make them believe it."

He asked, "How much blood must be shed? How much racial antagonism must be accented?"

Louisiana's top administration leaders did not appear at the hearing.

Early this week, tensions had let up because of the Thanksgiving week school holiday. However, the City of New Orleans and the entire world has anxiously awaited the momentous decision of the three-judge Federal Court.

PARENTS AND RELATIVES INTERVIEWED -- The parents and relatives of the four six-year old girls, the first to be integrated in New Orleans Public Schools, were interviewed last Thursday afternoon in the office of the local NAACP, by the members of the press, radio and TV. The group included three mothers, one father, one grandmother and one aunt of the children. No pictures of the faces of the parents and relatives were permitted, and at the same time, A. P. Tureaud, attorney for the NAACP would not divulge the names of the adults. He said he feared reprisals. (Porter Photos)

# YOUTH CRITICAL AFTER MELEE IN NEW ORLEANS

NEW ORLEANS — (UPI) — A teenage Negro boy, shouting obscenities about the courts and white people ran amok with a knife in the famed French Quarter Saturday and severely wounded a small white boy before he was shot down by police.

The youth, who appeared crazed by dope slashed away at whites along Dauphine Street — just a block away from famed Bourbon Street — in the latest outbreak of racial violence brought on by tensions over integration of New Orleans schools.

The youth, identified as Donald Erion, 17, was taken to a hospital in critical condition with a severe head wound.

His victim, Byron Walter Goss, 7, was severely cut under the left arm after the youth attacked the boy as he stood on his front steps playing a ukelele.

**BIG CROWD**

The rampage and shooting drew a big crowd in the streets of the quarter. It was an ominous start for a period which the city had hoped would be peaceful with the schools closed until Nov. 28. The city had been relatively quiet since mob scenes and violence on Wednesday. It was awaiting the ruling of a federal court on state and school board attempts to reverse integration and get four first grade Negro girls out of the schools.

It was about noon when the morning - after quiet of the quarter was shattered by the Negro boy suddenly running into white bars and shops and cursing the proprietors.

Then he drew a four-inch knife and began slashing away at whites, screaming he didn't "give a ——— about the federal government the courts, the white people."

His knife slashed away the coat sleeves of one white man who ran for a shotgun.

He stomped the boy and cut him. It was feared the boy had a skull fracture, too.

Women began screaming "get him, get him." A police officer in the three-wheel traffic cycle took his pistol and shot from about 20 feet as Erion ducked between a small sports car and the wall. One bullet hit him in the hand and the other in the head.

The sidewalk was covered with blood in front of a bar which has segregated entrances and areas for Negroes and whites.

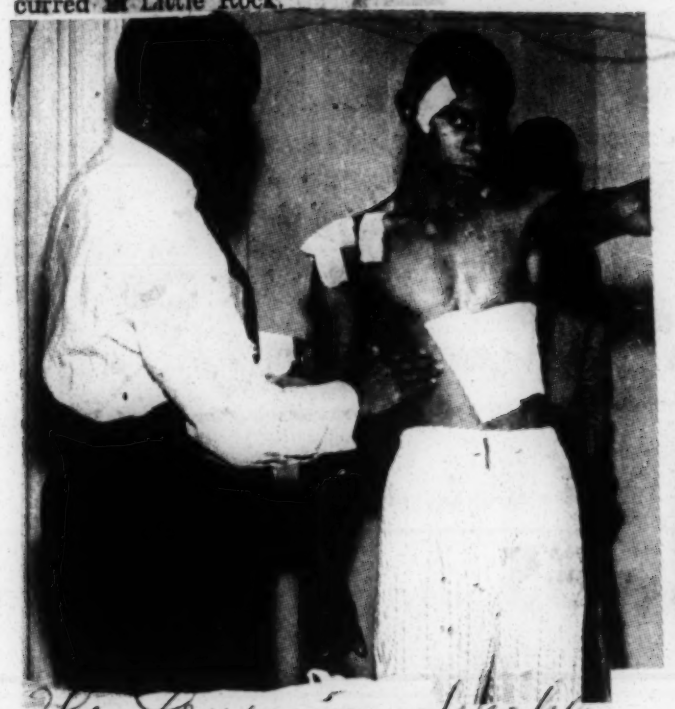
Police kept the crowd moving and it gradually dispersed. But the police were expected to take extra precautions in the area Saturday night when the usual Saturday revelry could lead to more trouble.

**UNHAPPY WEEK**

The week had been one of the unhappiest in New Orleans history. The admission of the four girls to white schools brought knifings, stonings, cross burning, hundreds of arrest and use of fire hoses on mobs. It brought consternation to restaurants proud of the city's famed reputation for gracious living.

The schools will be closed all next week for teachers' meetings and the Thanksgiving holiday. But New Orleans most likely will be face to face with the integration conflict on Monday, Nov. 28.

If the court refuses to back down on integration - as it has in the past - and pro-segregationists push ahead with such moves as cutting off funds for the New Orleans schools, it could lead to complete shutdown of the educational system or to another federal intervention by force such as occurred in Little Rock.



VICTIMS OF MOB VIOLENCE -- Last Wednesday, as hundereds of tumultuous teen-agers, stirred by staunch segregationists, attempted to storm the Orleans Parish School Board and later moved into the Civic Center, scores of Negroes were beaten up. The disorganized group which included a number of adults as well, were protesting the New Orleans Public School Integration. Among the victims that were attacked by the white thugs were Theodore Lagarde, 26, and Juleo R. Payne, 37. Lagarde, who lives at 3208 Pine Street, had eight ribs fractured, suffered lacerations of the head, body and mouth, along with injury to both of his legs and shoulder along with a serious concussion of the head. Lagarde is shown in the first photo (left) as he was treated by Dr. W. P. Adams (left) at Flint-Goodridge Hospital. In second photo is Payne, who was knocked down, then was cut in the ear with a pen knife. Both were attacked in business area of the city. (Porter Photos)

## Super calls on Davis to act—

# Orleans teachers not to be paid

NEW ORLEANS, Nov. 22 —(AP)— The superintendent of Orleans Parish Schools said today the nearly $2 million payroll due school teachers and school employes tomorrow will not be met, an action he termed "unprecedented in state history."

Dr. James Redmond told a news conference the distribution of paychecks tomorrow is canceled and "as of this minute, the banks can be of no assistance."

"ONLY THE governor (Jimmie H. Davis) can solve this problem," Redmond said, "by rising above the noisy emotions of some state legislators."

"The nation is watching the State of Louisiana," Redmond added. "It has been made clear by state actions that Orleans Parish School Board officials can not be considered responsible for this plight."

**Some 4500 teachers, principals and other school employes will be affected, Dr. Redmond said.**

The Legislature last week addressed Orleans Parish School Board members out of office and although the board was reinstated by a federal court order, the board lacks state recognition. The state also denied the board use of any funds to operate the schools which have been integrated in the first grades by an order of a federal district judge.

"THIS PAYROLL is due to long standing, loyal career educators who have never doubted for a moment that their lifetiime of teaching would place them in financial jeopardy," the superintendent said.

Dr. Redmond asked all school employes affected in this payroll situation to report to their regular assignments Monday, Nov. 28.

**The city's public schools are closed this week because of an annual teachers meeting in Baton Rouge and the Thanksgiving holidays.**

"It is hoped at that time," Dr. Redmond said, "we will be in a position to give them specific information regarding salaries owed them.

"We will be able to do this if the governor recognizes and acts on the state's obligation to these valued people."

# Black Coffin Holds Effigy Of U.S. Judge

BATON ROUGE, La. (AP) — Parents and children from integrated New Orleans schools Wednesday bore a miniature black coffin, containing a blackened effigy of U. S. Dist. Judge J. Skelly Wright, into the Louisiana Capitol.

"The judge is dead," women in the group shouted. "We have slaughtered him."

Some of the group feigned weeping and mourning, others laughed.

The blackened doll inside the yard-long coffin wore a black suit. In its pocket was a small gavel.

**VEILS, FLAGS**

Large and small black flags and some Confederate ensigns were carried by the demonstrators. Some women wore black veils.

Placards said, "Thank God for the state legislature" and, "Davis our children's protector, thank God."

The chairman of the greater New Orleans Citizens Council said the black flags weer in mourning for federal usurpation of state sovereignty by "judicial tyranny."

Dr. Emmett Erwin said the federal courts' actions were illegal. He added that nothing in the Constitution says that school segregation is illegal.

# Schools Await Court Decision

## Financial Problems Plague New Orleans System During Holiday

By The Associated Press

NEW ORLEANS, Nov. 21.— Money problems, rather than integration worries, perplexed the New Orleans school board Monday with the more than 2 million dollars teachers' pay roll due this week and nothing in the way of funds in sight.

All of the city's public schools are closed this week, due to an annual meeting of the teachers in Baton Rouge and Thanksgiving holidays. The respite gave the city some relief from the demonstrations that arose last week when four Negro girls entered the first grades of two previously all-white schools.

The school board, and the rest of the state for that matter, is awaiting a ruling by a three-judge Federal panel, asked to suspend integration until Federal and state differences can be solved. The four Negro girls integrated the two schools on orders from a Federal court.

**Decision Delayed**

The court indicated nothing in the way of a decision would be forthcoming until mid-week, if by then.

At the teachers' convention, the house of delegates of the white group approved a proposed legislative act which would allow teachers advocating integration to be fired.

New Orleans school board president Lloyd Rittiner said the board was negotiating with banks for the board's annual loan to cover the monthly $1,900,000 pay roll due Wednesday.

Dr. James Redmond, superintendent of the city's schools, said he was optimistic about getting the loan, "but then, I'm always optimistic."

Gov. Jimmie H. Davis, he said, has yet to reply to a telegram sent last week asking for an advance to the board to cover the pay rolls.

"I hope the Legislature realizes that if we do not get the money," Dr. Redmond said, "the schools might have to close and that would mean schools all over the state."

**Result Is Same**

Dr. Redmond said he interpreted the state's refusal to advance money to the board as discrimination toward New Orleans and the board.

"No matter what ruse or language is used," he said, "the net result is the same—closed schools. And the Legislature, to stay within the law, must close all schools in the state."

Parents of white students at McDonogh No. 19 and the William Frantz schools—the two elementary public schools integrated—may appear at the state capital Tuesday.

The parents were asked to wear black "as a symbol of mourning for the two schools and state sovereignty."

The state contends the Federal courts are violating Louisiana sovereignty by ordering public schools integrated. The Legislature addressed the New Orleans board out of office, appointed a group of legislators to run New Orleans schools and then placed itself as a whole over the schools.

**City Is Quiet**

Police in New Orleans reported the city quiet over the week end in the wake of demonstrations by 1,000 or more white youths last Wednesday. Fights between whites and Negroes, stone-throwing, a knifing and shooting kept the city on edge.

Tension shifted from the empty public schools to the Roman Catholic schools, where no holiday is taken until later this week. A few housewives gathered in front of St. Mary of the Angels School, which is in the area of the two integrated public schools. They said that integration of the school had been planned for Monday, but was postponed when trouble broke out in the public schools.

Parents whose children attend Roman Catholic schools in the vicinity of the two integrated public schools met and indicated they would boycott the schools if they are integrated.

Parochial schools, which have more students here than the public schools, have said they will integrate as soon as integration of the public schools is "effectively carried out."

## Kennedy Rejects Plea For His Opinion

PALM BEACH, Fla., Nov. 21. — (UPI) — President-elect John F. Kennedy Monday flatly rejected a Louisiana request for his opinion on Federal court actions involving school integration in the state.

Kennedy sent word to a delegation of Louisiana legislators through one of his chief advisers, Clark M. Clifford, who telephoned word of the president-elect's decision to Christian Faser Jr., secretary to Gov. Jimmie Davis.

A group of four legislators and Faser flew to Palm Beach Sunday and presented to Clifford a resolution passed by the Louisiana Legislature asking Kennedy to state an opinion of "judicial tyranny" involved in Federal district court rulings on the current school integration fight in New Orleans.

Mr. Clifford said he told the delegation here Sunday night that if Kennedy asked his advice, he would say that it was "highly inappropriate" for a man about to take office as president to express himself on matters pending before the federal judiciary.

# Effigy of Judge in Coffin Taken to Louisiana Capitol

BATON ROUGE, La. (AP)—Parents and children from integrated New Orleans schools Wednesday bore a miniature black coffin, containing a blackened effigy of U.S. District Judge J. Skelly Wright into the Louisiana Capitol.

"The judge is dead," women in the group shouted. "We have slaughtered him."

Some of the group feigned weeping and mourning, others laughed.

The blackened doll inside the yard-long coffin wore a black suit. In its pocket was a small gavel.

Large and small black flags and some Confederate ensigns were carried by the demonstrators. Some women wore black veils.

Placards said, "Thank God for the state legislature" and, "Davis our children's protector, thank God."

The chairman of the greater New Orleans Citizens Council said the black flags were in mourning for federal usurpation of state sovereignty by "judicial tyranny."

Dr. Emmett Erwin said the federal courts' actions were illegal. He added that nothing in the Constitution says that school segregation is illegal.

# Louisiana Says Reds Use U.S.

BATON ROUGE, La. (UPI)—The Louisiana House of Representatives, foiled at every turn in its efforts to block integration of New Orleans schools, Wednesday charged President Eisenhower and the federal courts with being involved in a Communist conspiracy.

The resolution stopped just short of naming them Communists. But when it came down in the Senate, one lawmaker said it was "the worst piece of legislation I have ever seen" and was toned down to more vague terms.

**SCHOOLS**

The House, meeting under the watchful eyes of black-clad mothers and children "mourning" for the integrated schools, passed the resolution unanimously.

It said that the "U. S. Supreme Court, supported by the entire federal judicial system and the executive branch of the federal government, is making common cause with the Communist conspiracy to destroy our public school systems and our standards of education."

**SENATE TONES DOWN**

In the Senate, it was toned down to read "some" of the federal judiciary and "some of the members of the executive branch" before it passed 25 to 11. The House had already adjourned until Sunday, so it could not vote on the Senate amendments, which leaves the resolution hanging in limbo.

The Legislature passed another resolution ordering that $2,535,312 be deposited with the legislature to pay the teachers of the embattled New Orleans schools. The resolution ordered that when the teachers' checks are mailed to them, the envelope include a note pointing out that the Legislature, not the school board, was paying them. Segregationist leaders said that New Orleans School Superintendent James F. Redmond and school attorney Sam Rosenberg wouldn't get paid.

**LEAD OPPOSITION**

New Orleans lawmakers led the Senate opposition to the resolution condemning the federal government. It got another portion, which said that an "atheistic, communist menace. . . has infiltrated the highest councils of our nation" to read "some of the highest councils. . ."

"This is too strong," said Sen. Robert Ainsworth. "It implies a charge of treason."

Another senator said that "calling Eisenhower a Communist just because I don't recognize a Supreme Court decision is not my way of doing things."

# New Orleans School Issue Might Influence Electors

NEW ORLEANS, La. (UP)—School Supt. James F. Redmond remained optimistic today that the New Orleans School Board, beset by financial as well as integration woes, can meet teacher payrolls this week.

Redmond said he is still hopeful of getting a bank loan to cover the $1.9 million in salaries due teachers, principals and secretaries Wednesday.

Seven of Louisiana's 10 presidential electors said they felt morally obligated to cast ballots for President-elect John F. Kennedy regardless of Kennedy's failure to comment on the integration affair. One elector declined to comment. Two others could not be reached.

At Palm Beach, Fla., Monday Clark Clifford, a Kennedy aide, said the president-elect considers it inappropriate to comment on a U.S. court order restraining the Louisiana Legislature from blocking federally directed integration.

Chris Faser, executive secretary to Gov. Jimmie Davis, and four legislators had flown to Palm Beach Sunday with a resolution asking Kennedy to outline his views on federal court action forbidding the legislature from interfering with school integration.

It was learned that Gov. Davis has called a conference of Southern governors to meet Nov. 30 at Baton Rouge to discuss the integration situation. The Louisiana governor also wants Southern chief executives to unite in getting presidential electors to throw the election into the U.S. House of Representatives.

A decision by a three-judge federal court on a request to suspend racial mixing until federal and state differences can be ironed out may be handed down later this week.

The financial status of the school board was called desperate by Walter Latapie, the board's chief accountant. He said four payrolls totaling about $2.15 million must be met by the end of the month.

# Plan To Transfer White Students Told By Perez

Jackson Daily News
Jackson, Miss.

ORLEANS (AP) — Dist. Leander H. Perez of St. ard and Plaquemines par- has revealed a plan to send ils from McDonogh 19, one of integrated public schools in Orleans, to St. Bernard

Thurs. 11-24-60

told a meeting of Mc- parents Tuesday night the fourth through grade could attend Arabi Cafrou Park elementary

A spokesman for parents at the Frantz school, Armand Duvio, the plan would apply to Frantz pupils also. Frantz is the other school integrated last week under a federal court order. St. Bernard school officials declined to confirm that the plan would be carried out.

Meanwhile, the chairman of the Gentilly Citizens Council, L. P. Davis, urged parents to send them at other schools to send them back to classes Monday. Schools are in recess this week for teachers conventions in Baton Rouge and Thanksgiving.

Perez and Duvio said pupils in the first through third grades at Frantz and McDonogh would be accommodated in a private school to be set up in St. Bernard Parish. Duvio, president of the Frantz Educational Cooperative, Inc., said final arrangements for the private schools had not been completed.

All white students in McDonogh and all but a handful in Frantz had left classes by last Friday in protest to the admission of three Negroes to first grade classes at McDonogh and one at Frantz.

The president of the St. Bernard school board, I.J.G. Jansen, said he knew nothing "substantial" about the plan.

# Four Girls Return To New Orleans Schools Monday

Atlanta Daily World
Atlanta, Ga.
Sun. 11-27-60

NEW ORLEANS — (UPI) — Four 6-year-old Negro girls - principals in the racial tension gripping this city - are scheduled to return to two previously all white schools Monday.

The girls, along with all the public school students in the state, have been on a Thanksgiving week holiday. Their enrollment Nov. 14 precipitated a week of violence which reached its peak the third day after integration.

Fire hoses were needed to quell more than 1,000 demonstrators marching on the offices of the Orleans Parish School Board.

The beleaguered board is waiting for a three - judge federal panel to rule on its motion to permit a return to segregation.

The board also prepared to fight a state court action in which segregationist forces seek to learn the identities of the four Negro girls. A hearing on the case, initiated by segregationist board member Emile Waner Jr., will be held Tuesday.

Four other members of the board and School Supt. James Redmond, all of whom prefer integration to closing the schools, are caught between Louisiana's belligerent legislature and the federal order to integrate. It was reported Saturday the board faces still another antagonist - the New Orleans Young Men's Business Club.

The New Orleans States- -Item said the civic group voted to ask the moderate board members to resign. It was reported a special committee met with the legislative committee appointed to run the schools, and later asked the board to resign.

The legislative committee has been enjoined by the federal court here not to interfere with integration.

The board said it will fight Wagner's efforts to learn the identities of the Negro children. Wagner has not said why he wants the names.

The three - judge court was expected to rule early next week on the board's request to de-integrate. The board asks that segregated classes be permitted until the courts determine if Louisiana's declaration of interposition will take precedence over federal law.

# White Students Transfer

The Herald and Courier
Charleston, S.C.
Thurs. 11-24-60

NEW ORLEANS, La. (AP) — The mass transfer of white students from two newly integrated New Orleans public schools added a new perspective to the taut integration—segregation battle Wednesday.

Students in the fourth, fifth and sixth grades at McDonogh No. 19 and the William Frantz schools—integrated by four Negro first graders last week—were accepted at schools in neighboring St. Bernard Parish (county).

**RULING AWAITED**

The New Orleans School Board, the Louisiana Legislature and the whole state for that matter awaited the ruling of a three-judge federal court which has been asked to suspend school integration pending the settlement of state and federal differences.

The panel of jurists may rule on the request Friday, or wait until next Monday.

Developments in the school crisis came fast Wednesday.

Here's what happened:

The legislature voted unanimously to place $2,525,312 in the bank to pay all New Orleans school teachers. This followed Tuesday's announcement by Dr. James Redmond, superintendent of New Orleans public schools, that Wednesday's scheduled payroll had to be postponed.

The legislature cut off funds to the school board after ousting the board out of office, a move later nullified by a federal court order.

**FULL PAYMENTS**

Negro teachers as well as white teachers will be paid their monthly salaries, legislative leaders said. But, they said, neither Dr. Redmond nor school board attorney Sam Rosenburg would be paid since the legislature considers them fired.

The Louisiana Teachers Association, meeting in Baton Rouge for its annual convention, voted to fight federal court orders to integrate New Orleans public schools.

The 6,500-members of the white teachers group termed U. S. Dist. Judge J. Skelly Wright's order integrating public schools as an "usurpation of power . . . and the resulting encroachment on state sovereignty will be resisted and fought by every legal and honorable means."

**NO AUTHORITY**

An attorney for the legislature told Judge Wright Wednesday he had no authority to remove an injunction against the school board.

Attorney Scott Wilkinson asked Wright to return the suit—aimed at preventing the board from carrying out Wright's integration order—to a state civil court. School board attorneys argued against the move.

Wright took the matter under advisement and said he would rule later on the request.

A group of parents from the McDonogh and Frantz schools appeared at the Capitol in Baton Rouge Wednesday.

Some wore black as a symbol of mourning. Others carried placards reading, "Thank God for the state legislature."

Both parents and children carried a miniature black coffin containing a blackened effigy of Judge Wright.

# ther Of One ...e Of Four Tots Fired From Job

NEW ORLEANS, La. — The fa... one of the four Negro ... attending previously an... ly in this bias-torn city ... from his job this week ... four and a half years of serv...

NAACP Field Secretary Clar... Laws has assured the uni... parent that the NAACP ... help him find another job.

Mr. Laws revealed that the par... of the four first-graders "are ... fast despite the violence."

Although the identity of the par... and children has not been re... to date, their homes are un... 24-hour police security guard.

The NAACP spokesman also said ... the "teachers have been nice ... Negro girls who appear to ... oblivious to what is happen...

All four children are only six ... old.

Mr. Laws praised police saying "they have been working to their utmost to protect life and property. They are trying to do a job, even though they have been under terrific attack by the White Citizens Council and others."

The marauding mobs have received ample stimulation and encouragement from the White Citizens Council.

### Calls Mayor A Name

A three hour rally was held Tuesday, November 15, at the Municipal auditorium where several thousand screaming, stomping, men, women and children applauded and cheered an array of segregationist speakers.

Assistant District Attorney Leander H. Perez called Mayor deLesseps S. Morrison a "little weasel, snakehead."

Mayor Morrison has backed the school board in keeping the schools open.

Representative John S. Garrett, chairman of the joint legislative committee on segregation, pledged that "legislators' heads are not bowed."

He continued, saying "Judge Wright (James Skelly Wright, federal court judge who ruled in favor of integration) has thrown away the law book" and has "come to the theory that might makes right."

Garrett added that if the public permits the integration of four Negro girls today, "there may be 5,000 next week."

He blamed Judge Wright and the school board "for the turmoil we're having in the city of New Orleans."

John R. Wright, president of the Mississippi White Citizens Council, followed and told the wild audience that "Mississippi is 100 per cent behind you.

"Checkerboard classrooms today mean blackboard jungles tomorrow. In this crisis you now face, inaction is consent," he said.

A group of teenagers was invited to the speakers' platform and it was announced that they had been arrested by police guarding integrated schools. They were roundly applauded.

Perez returned to the speaker's stand and concluded his remarks by calling NAACP Attorney Thurgood Marshall a "smart-alec mulatto lawyer."

# GRANT-IN-AID BILL ON AGENDA

## Final Passage by Louisiana Solons

by JAMES H. GILLIS
AND ROBERT WAGNER
(Times-Picayune Staff Correspondents)

BATON ROUGE, La. — Final passage of a bill that would provide grant-in-aid funds for pupils attending private schools was on the legislative agenda Friday night in the State Senate.

The bill was previously approved, 84 to 0, by the house of representatives. Any child in Louisiana would be eligible to apply to local school boards for the grants.

Following "emergency" legislation, the bill would become law immediately upon its signing by Gov. Jimmie H. Davis.

### BONDING BILL

Still on the senate agenda was legislation providing bonding of officers and employes of any education cooperative corporation receiving grants of public funds for its operation.

Such co-operatives reportedly are being set up to organize a parallel system of education for pupils enrolled at the integrated schools of Frantz and McDonogh in New Orleans.

The senate was slated to take final action on the bonding bill Friday. This would wind-up the business in the legislative hopper for the time the two houses went into session Sunday night.

The grant in aid bill carries neither an integration nor segregation label.

State Sen. E. W. Gravolet Jr., who is chairman of the Joint Legislative Committee on Segregation, said the bill would give parents a freedom of choice as guaranteed under the First Amendment to the U.S. Constitution.

### GO TO STUDENT

Gravolet said the grants, similar to GI schooling grants from the federal government after World War II and the Korean conflict, would go directly to the student.

# HOUSE OK'S PLAN OF GRANT-IN-AID

## Could Provide Private Education of Pupils

(Times-Picayune Capital Bureau)

BATON ROUGE, La. — The state House of Representatives Friday approved, 84 to 0, a bill providing a grant-in-aid program that could be used for private education of pupils at integrated public schools.

Any child in Louisiana could apply for the grants-in-aid, which would be approved individually by local school board authorities, and would be paid from state and local public education funds.

The amount of the grant could not exceed the actual cost of private education. Otherwise, it would equal the average amount spent per pupil in the public schools system.

The grants would be available only for education in private "non-sectarian" schools, whose operation was not controlled directly or indirectly by any church or sectarian body.

Each grant would provide enough cash for 180 days of private education. But they could be indefinitely renewed, at least until the basic education presumably has been completed.

After passage in the House, the bill was sent Friday night to the state Senate, where it was quickly referred to the administration's judiciary "B" committee for screening.

The Senate Friday night received a favorable committee report on another House-passed bill, which would set-up a substitute school board to replace the present Orleans school board.

Authority of the new board would be limited to handling of finances, levying and collecting revenues, etc. The state legislature would have other authorities, connected with operation of schools.

The five members of the new board would be appointed by Gov. Jimmie H. Davis, pending an election in the next congressional election.

The Senate was expected to take final action on the bill Saturday morning, when it will reconvene about 10 a. m. The House was slated to reconvene at 8 a. m. Saturday.

The House Saturday was slated to pass a bill providing for bonding of officers and employes in any education cooperatives receiving grants of public funds.

Provisions of the grant-in-aid bill were explained to the House by New Orleans Rep. Arthur Crais, who said, "Your public school system will continue in Louisiana as it has in the past."

He said nothing was in the bill that would "tamper with the public school system." State education Supt. Shelby M. Jackson assured him it could be financed from present funds, said Crais.

"Under no circumstances will I vote for any increase in taxes," declared Crais. "I want that understood." Additional funds could be required if the grant-in-aid program were greatly expanded.

Crais also said the program would force public schools to improve themselves by providing keener competition from private schools.

The relatively low attendance in the House Friday (only 84 of the 101 members were present), prompted administration floor leader Rep. T. T. Fields to suggest more members show up for meetings.

Also, in the House, Lafayette Rep. Richard Bertrand, in a personal privilege address, said his constituents wanted "us to act in a dignified manner here, but they are for segregation."

Bertrand said he himself was "a million per cent for segregation." St. John parish Rep. D. Elmore Becnel told him, "when I was in school it was only 100 per cent."

The Lafayette representative replied, "things have changed from the way they were when we went to school."

Bertrand said, "I think we have gone as far as we can. I don't think we should go any further on the taxpayers' back." If another special session were necessary, "I think we should all serve free."

He said, "I know were being criticized. I think we're doing the best we can. It's always easy for people on the sidelines to criticize. We're the people on the spot."

With startling candor, Bertrand acknowledged he was speaking for the record, and the television cameras. "Get out of the picture," he jokingly told one legislator who came to the microphone to ask a question.

The House roared. Later, Bertrand said he had been informed the television cameras were not turned on, and so "I will make my words brief." The House roared again.

In conclusion Bertrand said, "I hope when it is all over, and we don't need them anymore, that we will take off" from the record any bills harmful to local, self-government.

14d(1) 1960

# PRIVATE SCHOOL PLAN IS OFFERED

## Legislators Begin Study of New System

By JAMES H. GILLIS
(Times-Picayune Staff Correspondent)

BATON ROUGE, La.—Legislation laying the groundwork for a possible state private school system operated through grants in aid of public funds made to students was introduced in the House of Representatives Wednesday night.

**The legislation was in the form of two bills authored by Reps. Arthur A. Crais, Eighth Ward, New Orleans and Daniel L. Kelly, Ninth Ward, New Orleans, and by Gov. Jimmie H. Davis' three floor leaders, Reps. T. T. Fields, Union parish; and Risley C. Triche, Assumption parish.**

The bills' introduction and passage by the House of a resolution reiterating the stand of the Legislature in favor public school segregation and states' rights came at a late afternoon session after a three-judge federal court had declared invalid a package of state acts aimed at preserving segregation.

**REFERRED TO UNIT**

Both bills were referred to the House's judiciary "B" committee of which Fields is chairman and will come up for hearing at 8:30 a. m. Thursday. The House, after meeting for approximately an hour and a half late Wednesday afternoon, adjourned until 9 a. m. Thursday.

**The resolution adopted by the House by a 76-to-0 vote declared that the decision of the three-judge federal court announced Wednesday was "palpably dangerous and constitutes a threat to the survival not only of state governments everywhere, but to the survival of the Constitution of the United States."**

In the resolution, which was introduced by Fields, Lehmann and Triche the House declared that the state reaffirms its policy of interposition against the United States supreme court decision outlawing public school segregation.

**STATE GRANTS**

One of the bills aimed at paving the way for a private school system provides for the setting up a whole system of state grants to elementary and high school students attending "non-sectarian" private schools is House bill No. 4 of the second extra session.

The other is House bill No. 5 which provides that the officers of any private educational co-operative organization under provisions of a 1958 state act must furnish bond in order to receive grants in aid from public funds. The amounts of such bonds would be set up by the state board of education.

House bill No. 4 provides that: "It is the purpose of the state of Louisiana to make available, under the conditions and qualifications set out in this act, education expense grants for the private education of any child residing in this state. Such grants as are provided herein are to be made to and for the child and not to the institution furnishing the educational facilities. In so doing it is the hope of the Legislature of Louisiana that all people within our state shall respect deeply-felt convictions and that our public school system shall be continually strengthened and improved and sustained by the support of all our citizens."

**The bill provides that "every child in the state is entitled to apply for an education expense grant from state and local funds appropriated for that purpose. Such grants shall be available only for education in a private non-sectarian school," meaning one which "is not controlled directly or indirectly by any church or sectarian body or by any individual or individuals acting on behalf of a church or a sectarian body."**

House bill No. 4 stipulates that "it shall be the policy of the state to make an education expense grant available to each eligible child . . . which is equal to the per-day, per-student amount of state and local funds expended on public schools throughout the state during the preceding school year, but in no event, shall a grant for any child exceed the amount actually expended for the private education of each child.

"The governing authority for each parish or local school system shall determine the maximum amount of the grant to be made available to each child, and in so doing, shall take into account the total expenditures for all current expenses."

Under the bill application for an educational expense grant shall be made "to the governing authority of the school system of the parish or city in which the child resides."

**LEGAL REDRESS**

The bill also sets out a procedure under which presons who apply for grants in aid for the children and who are turned down by the governing authority concerned, may obtain legal redress through the courts.

The bill provides that "payments of education expense grants shall be made by check upon receipt of satisfactory evidence that the child for whom payment is made actually attended a private non-sectarian school, recognized and approved by the Louisiana state board of education."

LOUISIANA

# PRIVATE SCHOOL AIM OF SOLONS

## Legislative Fund Drive Launching Readied

By JAMES H. GILLIS
and ROBERT WAGNER
(Times-Picayune Staff Correspondent)

BATON ROUGE, La.—A legislative fund raising drive, to help finance private education for pupils of integrated New Orleans schools, was a prime item as the state Legislature met Tuesday night.

**State Rep. Carroll Dupont, Terrebonne parish, a member of the joint legislative segregation committee, said legislators would be asked to contribute toward a "parents' co-operative" for private education.**

Dupont was slated to initiate the drive in the House. Sens. William Carpenter, Bastrop, and Howard Jones. St. Joseph, were slated to launch the drive in the neighboring Senate.

**$50 PER LEGISLATOR**

They wanted to solicit about $50 per legislator, which equals the $50 a day legislators receive for attending the current 30-day special session of the Legislature.

**Dupont said the money would be used toward setting up a private system of education for pupils attending the New Orleans integrated schools of William Frantz and McDonogh 19.**

"The parents have demonstrated through their boycott they want to co-operate" with the Legislature, said Dupont.

State treasurer A. P. Tugwell was expected to launch a similar fund-raising drive among state department heads, and state employes, said Dupont.

**'NO PRESSURE'**

"There will be no pressure; it will be voluntary," said Dupont.

"We want to demonstrate to the parents we are behind them, that we are going to stay with them, and are not going to quit."

**Other actions Tuesday included organization of an "unofficial" liaison committee, comprising some legislators, sovereignty commission leaders, and state education Supt. Shelby M. Jackson.**

State Rep. Risley Triche, administration floor leader, was elected chairman of the committee. "It will be a co-ordinating group, which will plan, and plot our strategy in this fight for states' rights," said Triche.

**WORK WITH ATTORNEYS**

Legislators on the committee will include administration floor leaders, and segregation leaders. Frank Voelker Jr., chairman of the sovereignty commission, will be a key member.

Triche said the committee would work closely with attorneys, who have been advising on strategy, to provide an overall co-ordination of legislative activities on the segregation front.

**There had been some reports the committee would also provide screening of proposals presented the Legislature. Some legislators have complained about "bad measures bearing segregation labels."**

However, Triche said the committee would not be a "censoring" group. It will have 21 members.

**WORK STALLED**

The legislative session Tuesday night was slated to be a brief one, with both Houses expected to reconvene sometime Wednesday morning.

**The strategy of segregation leaders appeared to be at least momentarily stalled by the delay of a three-judge federal court ruling on a petition to rescind integration of New Orleans.**

The court is also considering motions to dismiss federal injunctions against legislators, and state officials.

NOV. DEC. 1960
NEW ORLEANS PRIVATE SCHOOL

# DAVIS GIVES OK TO SCHOOL UNIT

## Federal Court Reaction Is Expected

By ROBERT WAGNER
(States-Item and Times-Picayune Staff Correspondent)

BATON ROUGE, La. — Gov. Jimmie H. Davis, defying the federal government, Saturday signed a bill designed to create a substitute school board for Orleans Parish.

The action was taken shortly after the state Senate gave the bill final passage, 27 to 5. It had been approved Thursday in the House by a margin of 75 to 5.

Members of the proposed new board will be appointed by Davis, possibly over the week end, pending an election, slated for the 1962 congressional elections.

The bill was almost certain to get off a reaction from the federal court, which has repeatedly enjoined the Legislature and state officials from seeking to prevent token integration of Orleans schools.

### 'EMERGENCY' MEASURE

Labeled an "emergency" measure, the bill became effective immediately upon signature by the governor.

Unlike the present school board, which has found itself squeezed between the federal court and the state Legislature, the new board would have authority only to control finances, borrow money, etc.

Other powers in operation of the schools would be reserved to the state Legislature, which has, however, had difficulty sometimes exercising those powers.

Sen. E. W. Gravolet, Pointe a la Hache, said the board was designed to provide a means for borrowing money, so the New Orleans schools could remain open.

The present board, still functioning, though addressed out of office by the Legislature, has had difficulty making loans, because of the confusion caused by the integration crisis.

New Orleans Sen. Robert A. Ainsworth Jr., president pro tempore of the Senate, suggested creation of a new school board would only further confuse an already confused picture.

### WHICH BOARD?

"The question of which school board has the authority to operate will still be unsettled," he said. It would be better to await the final outcome of court proceedings on the issue, he said.

Ainsworth also questioned that the new school board would have any more success borrowing money, under the circumstances, than the present board.

The issue could become so confused, he said, that no one would be able to borrow money, and the school system itself, teachers, and employes would suffer the consequences.

The New Orleans senator said he was particularly concerned where the money would come from to pay New Orleans teachers around Dec. 23.

Meanwhile, the state House of Representatives Saturday approved, 80 to 0, a bill requiring bonding of officers and employes of any education co-operative group seeking public funds for private education purposes.

The bill was dispatched to the Senate, which sent it on to the Senate judiciary "B" screening committee, which was expected to present a favorable report on it to the Senate Sunday night.

The Senate received a favorable report Saturday on the key grant-in-aid bill, which would provide monies for pupils to attend private schools.

Final action on the grant-in-

of Orelans shall be appointed by the governor, and thereafter their successors shall be elected as provided in the primary and general election law for other parish school boards. The first members shall draw lots for two terms of two years, two terms of 4 years, and one term of 6 years, and their successors shall be elected 4 terms of 6 years.

"The school board of the parish of Orleans shall have power and authority to borrow, receive and disburse money. It may levy, collect and receive school taxes as now authorized by the constitution and laws of the state of Louisiana. It shall deposit all funds received by it in a bank or banks approved as fiscal agents of the state.

"The Legislature of Louisiana reserves to itself all powers vested in it by law, relative to the public schools of the parish of Orleans, and particularly by act No. 17 and any other act or resolution passed at the first or second extra session of 1960, except as to the powers and authority herein specifically granted to school board of the parish of Orleans."

urday segregation leaders might have other proposals up their sleeves.

Gov. Jimmie H. Davis Saturday visited the Senate, while the body was in recess, to chat and joke with senators. It was his first visit to a legislative chamber, while in session, since his inauguration.

**In the House, Rep. Perry-Branton, Webster, called upon legislators to "give serious consideration" to forming "a newspaper of our own." He objected to a headline story in the Shreveport Times.**

He also objected to an editorial carried by the Baton Rouge State-Times, which he noted was the official journal for the state. The paper, he said, received over $52,000 in state advertising the past two years.

It was unbusiness-like, he said, for the Legislature to use "good money" to retain the services of a newspaper that would "turn around and tell us to go home.

"I ask you, gentlemen, what kind of business are we operating?"

### CRAIS COMMENTS

Also in the House, New Orleans Rep. Arthur Crais said he probably would not have introduced the grant-in-aid bill, if there were any possibility it could be used as the basis for a tax increase.

State education Supt. Shelby M. Jackson denied Friday night he had told Crais the grant-in-aid program would not require additional taxes.

Crais told the House he had discussed the grant-in-aid idea with Rep. John Garrett, chairman of the joint legislative segregation committee, and others, during the first 12-day special session.

**The New Orleans representative said he also discussed it with Jackson. "No taxes were discussed," said Crais. "I assumed that on the basis of existing monies we did not need any taxes to carry it out."**

Crais added that he had "nothing but the highest regard for Mr. Jackson," who was "an honorable gentleman." He said he simply wanted to "clarify" the background that led to introduction of the bill.

Jefferson parish Rep. John Rau, in a personal privilege address, told the House Federal District Judge J. Skelly Wright should be congratulated for calling a hearing for banks to show cause why they should not be enjoined from refusing to honor the checks of the Orleans parish school board.

### 'NOT CUSTOMARY'

Rau said it has not been customary for Judge Wright to hold hearings before issuing injunctions. But he told the House the hearing for the banks had sinister implications.

He said the federal court could establish a precedent for jailing anyone who refused to cash checks. "This strikes at the very credit in the nation," he said.

He added that the school accounts in the banks could be cleaned out before any appeal could be made, thus making the results of the appeal of little consequence.

"Instead of preventing irreparable damage, this would create irreparable damage," he said.

**Opposing the school board bill in the Senate were New Orleans Sens. Ainsworth, Adrian Duplantier, and Laurance Eustis, supported by Donaldsonville Sen. Dawson Martin, and Lafayette Sen. Elmore Bonin.**

The core of the bill stated as follows:

"There is hereby created a school board for the parish of Orleans, to be known and designated 'school board of the parish of Orleans' to consist of five members, to be elected at large from the parish of Orleans, at the congressional elections in the city of New Orleans in accordance with law. The members to serve in the interim from the time this act takes effect until the next congressional election in the parish

aid bill, previously approved by the House, was slated Sunday night in the Senate. Both houses will reconvene at 7 p. m. Sunday.

The Senate was also slated to meet Monday, in order to give final passage to the bonding bill. There was speculation Sat

# SCHOOL BOARD LAW ATTACKED

## Citizens' Council Figure Sues in Baton Rouge

In a surprise legal maneuver Saturday afternoon, two citizen-taxpayers filed a suit in Baton Rouge to have the law authorizing creation of a new Orleans parish school board declared unconstitutional.

The law to create a new school board was signed by Gov. Jimmie H. Davis shortly after its passage Saturday morning by the special session of the Legislature.

The suit to have the law declared unconstitutional was filed with East Baton Rouge district Judge Fred S. LeBlanc.

**It was filed by George L. Singelmann, an official of the Citizens Council of Greater New Orleans, and Lewis S. Deherty Jr. of Baton Rouge.**

Singelmann and Doherty, two weeks ago, had tttempted to restrain the present Orleans parish school board. They had filed a suit with Judge LeBlanc seeking a temporary restraining order on the present school board.

### NULLIFIED BY WRIGHT

Judge LeBlanc's restraining order subsequently was transferred to federal court jurisdiction and nullified by federal Judge J. Skelly Wright.

**It could not be immediately determined why Singelmann and Doherty were seeking to void the new law to creat another Orleans parish school board.**

However, in rapidly moving development, Atty. Gen. Jack P. F. Gremillion and three other officials immediately moved to have the new restraining order by Judge LeBlanc set aside.

### PLEA TO HIGH COURT

Gremillion, his assistant, Harry F. Fuller; George H. Wallace, an attorney for the Louisiana secretary of state, and Frank Voelker Jr., chairman of the state sovereignty commission, all appealed Judge LeBlanc's restraining order to the Louisiana Supreme Court in New Orleans Saturday afternoon.

Late Saturday afternoon the Supreme Court here was still considering whether to issue remedial write to stay Judge LeBlanc's restraining order.

Singelmann and Doherty, in their suit, alleged that the law to create a new school board violated Sec. 10, Article 12 of the Louisiana constitution.

They said that the state constitution directs the Legislature to provide for the election of school board members and does not provide for interim appointments under any circumstances.

**Judge. LeBlanc's. restraining order in effect prohibits Gov. Davis and Secretary of State Wade O. Martin Jr. from executing the new law. This would mean that Davis could not appoint five new school board members until after the restraining order was lifted.**

The restraining order also prohibits the state treasurer and controller from honoring warrants for money from any newly-appointed school board members.

There was speculation in Baton Rouge that Singelmann and Doherty filed the suit with Judge LeBlanc to prevent possible federal litigation against the new law. By taking action against the law in state courts, the prime jurisdiction over the law theoretically remains with the state courts and not the federal courts.

14d(1) 1960

LOUISIANA

N.Y.DEC. 1960
NEW ORLEANS

# Integration Recedes in New Orleans

The Christian Science Monitor

*Special to The Christian Science Monitor*

New Orleans

The master plan of segregationists striving to block the integration of New Orleans schools came into sharp focus this week as white parents who defied a boycott of integrated schools became a major target of the extremists.

A wave of telephone threats and intimidation, coupled with widespread vandalism to their homes and property, so terrorized most of them that they withdrew their children from the second of the two integrated schools.

Observers believe the segregation forces are committed to this three-pronged course of action:

1. To achieve an airtight white boycott of the two integrated New Orleans schools—the McDonogh 19 and William Frantz elementary schools. They view the tremendous stepup in threatening phone calls and acts of vandalism as part of this over-all strategy to unnerve that fast-dwindling band of parents who have ignored the boycott.

2. To make St. Bernard Parish (county) adjacent to New Orleans, the testing ground of a new and radical experiment in public education, to which masses of white students will be transferred as each of their schools is integrated. And, of course, they will strive to maintain the fiction of private schools.

## Massive Shift

3. To lean heavily on the sympathetic State Legislature to finance this mass migration. The Legislature has already passed a grant-in-aid measure designed to finance students in segregated, nonsectarian and nonprofit private schools.

Though nebulous and untried, it could provide sufficient revenues for the St. Bernard school system to prodigiously increase its capacities. Avid segregationists envision the day when the some 36,000 white public school students in New Orleans are transferred to private schools in St. Bernard maintained by massive state grants.

That the term "private schools" as represented by its proponents is a misnomer is seen by developments attending the first so-called private school to accommodate refugee New Orleans school children.

When the Arabi elementary annex in St. Bernard was confined, it was purportedly to be maintained by privately supplied services and funds. The school, which opened Wednesday with some 200 displaced students from New Orleans, was indeed renovated by a corps of volunteer artisans assembled by "Citizens Council" leaders.

But the question of maintenance, rent, and teachers' salaries was so insurmountable that the St. Bernard Parish school system has taken over the school and is operating it.

There were some 1.050 white students in the Frantz and McDonogh 19 schools when they were integrated last Nov. 14. The immediate boycott was 100 per cent effective at McDonogh 19, but a trickle of white students has continued to attend Frantz.

Their numbers reached a peak of 23 last Tuesday, then declined rapidly as the insidious campaign of telephone vilification, threats, and stone-throwing began in earnest.

When Frantz closed for the weekend Friday only eight intrepid white students were in attendance with the lone Negro child. At McDonogh 19—which has also operated with a full teaching staff throughout—only three little Negro girls trod the cavernous halls.

Observers say it is tremendously significant that the St. Bernard proving grounds lie in the bailiwick of Leander Perez, a former district judge and district attorney in, and present overlord of, St. Bernard and Plaquemines Parishes.

Operating behind the scenes, the powerful and ruthless political boss is said to have drawn up much of the segregation legislation enacted by the Legislature. He is an implacable foe of integration, having termed it the first step in the contamination and eventual destruction of the white race.

Concern for the safety of white children running the blockade was seen Friday, as for the first time federal marshals accompanied them to the Frantz school. Until Friday, they had escorted the lone Negro child only.

## Dockets Jammed

Meanwhile, federal and state court dockets are jammed with litigation designed to untangle the muddled segregation picture. Foremost is a suit before the United States Supreme Court seeking to establish the right of the State Legislature to interpose itself between the schools and the federal government.

At the same time, the embattled Orleans Parish School Board is in the anomalous position of having been dispossessed by the Legislature, but restored to power by the federal courts. But its ability to finance itself has been critically impaired by legislative action freezing its funds and ordering local banks not to honor its checks.

One of the plethora of suits would enjoin the banks from complying with the legislative ukase. Another would determine the constitutionality of a second Orleans Parish School Board created by the Legislature to replace the supposedly defunct board it fired.

Beleaguered white parents who defied the boycott found their homes this weekend under 24-hour police protection after threats had been implemented by the slashing of automobile tires, the hurling of rocks through windows, and other acts of vandalism.

# 55 GIVEN BACK PAY BY NEW ORLEANS

The N.Y. Times

## Anonymous Person Advances $16,525 to School Board—1,200 Still Lack Checks

New York

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 8—An annonymous New Orleans citizen advanced $16,525.86 to the New Orleans School Board today to pay forty teachers and fifteen otehr employes at two integrated schools. Their regular salary checks had been withheld by the State Legislature.

The fifty-five employes had not been paid since Oct. 28. They were given their checks this afternoon. This paid their salaries through November. The next pay day is Dec. 23, the day schools recess for the Christmas holiday.

Today's action, however, left unpaid more that 1,200 other administrative employes of the school system.

This development came as more New Orleans civic organizations spoke out in support of the School Board and in condemnation of the Legislature's attempts to circumvent Federal court orders that token integration be accomplished in New Orleans public schools.

### Junior Chamber In Stand

The Junior Chamber of Commerce, representing many of the city's leading young business men and junior executives, made public such a resolution, which was adopted at a closed general membership meeting last night.

The resolution said that all legal alternatives to integration had been proposed to the Federal court and reejcted and that further attempts also would probably prove ineffective.

It called on the Legislature "to discontinue its present course which tends to threaten the very existence of Louisiana public school education."

Similar resolutions were adopted by the League of Women Voters and the Committe for Public Education.

Others are expected within the next few days. More and more persons appear to be convinced that the damage is being done to the city's reputation by the rowdy picketing of the two schools by small groups and by attempts to intimidate the few white parents who have taken their children to them.

However, the harrassment of the parents seems to be effective.

Only fourteen white children turned up today at William Franz Elementary School to join the one Negro girl in attendance there. The highest number, since integration began on Nov. 14, was twenty-three on Tuesday.

No white children have gone to the other integrated school, McDonogh No. 19. Four Negro girls had been attending there but one was reported ill this week.

One ne wcase of attempted intimidation of parents was reported today by the police. It said was directed against Mr. and Mrs. Marion L. McKinley, who took their two children to the Frantz School on Monday. Mr. McKinley is a Baptist seminary student.

A brick was thrown through the window of their apartment last night and a teen-ager threw a rock at Mrs. McKinley yesterday afternoon.

Mr. and Mrs. James Gabrielle, who were among the first to run the gantlet of jeering women an men at Frantz School on Nov. 14, made plans today to pack up and return to Mr. Gabrielle's home town of Providence, R. I.

On Tuesday, Mr. Gabrielle quit his job as a meter inspector for the Sewage and Water Board, a state agency, after what he said was continued harassment by fellow workers.

"We'll never come back to New Orleans," Mr. Gabrielle was quoted as saying.

Today's payment of the salaries of the fifty-five employes was only a temporary solution of part of the problem of the School Baord. The pay owing to the more than 1,200 other administrative employes totals almost $150,000.

On Nov. 10, the State Legislature froze all state tax money credited to the School Board in four local banks. This amounted then to about $2,500,000. Since then the Legislature has been paying the 4,200 teachers and other employes in the city's 116 non-integrated schools.

The board has been unable to borrow money at local banks to meet its normal operating expenses. Other state funds of $17,000,000 were withdrawn from one bank, the Whitney National, which attempted to aid the board.

Other New Orleans bankers have been told by banking friends in Mississippi that if they attempt to aid the board they may not get any more Mississippi banking business.

In announcing the payment to the fifty-five employes today, Dr. James F. Redmond, superintendent of city schools, praised the "professional attitude and sturdy heart" of the fifty-five and of the other School Board employes who had continued at their posts despite lack of pay. He said he hoped some way could be found soon to pay the others, too.

Dr. Redmond said the identity of the person who advanced the money could not be revealed. He also declined to identify the bank that made out certified cashier's checks for the fifty-five.

Dr. Redmond said that all fifty-five had been reporting regularly to their schools despite the lack of pupils. Those who have had no pupils in their grades have kept busy working on curriculum-revision studies and their own lesson and project plans for next term.

Meanwhile, the Legislature and Gov. Jimmy H. Davis have shown no change of attitude. The Legislature is dominated by upstate members, all strongly segregationist.

Governor Davis was reported from Baton Rouge today to be ready to call another special session of the Legislature—the present thirty-day special session ends next Thursday—to pass new legislation.

# Louisiana Asks Integration Order Court To Halt

Baltimore Sun

By CHARLOTTE G. MOULTON
United Press International

WASHINGTON — (UPI) —Louisiana appealed to the Supreme Court Wednesday to intervene in the angry school integration battle that has erupted in stonings, eggings and other violence in the city of New Orleans.

State Attorney General Jack P. F. Gremillion asked the court to suspend temporarily a Nov. 30 three - judge federal court ruling which wrecked Louisiana's legal fight against integration. He requested a stay of the order pending a full appeal.

The Supreme Court, which has ruled in favor of integration without exception for the last six years, was expected to act in a day or two.

The lower court declared unconstitutional 17 states segregation laws and five resolutions and barred nearly every public official in the state, including the legislature, from interfering with integration.

The three - judge court in New Orleans also branded as unconstitutional the state's interposition act. Louisiana passed it as a buffer against the Supreme Court's original 1954 school integration order.

Gremillion, who was cited for contempt during the lower court proceedings, said a suspension of the lower court's order was "urgently necessary" pending a hearing of the state's appeal to the Supreme Court.

His move came as police - enforced silence settled around New Orleans' William Frantz Elementary school where one Negro girl is attending classes. Police let 20 white women stand across from the school only if they refrained from the screams and curses that had marked their past appearances. Even so, white attendance at the school fell from 23 to 19 pupils.

Homes of two white families whose children have been attending the desegregated school were attacked. John Guabrielle, who refused to keep his daughter out of school, said he had been harassed out of his job as a city meter reader and was going back to his hometown of Providence, R. I.

# School Board Hearing Is Set

## Constitutionality of New Law to Be Aired

The Louisiana supreme court will hear arguments at 11 a. m. Monday Dec. 12 on constitutionality of the state Legislature's latest law creating a substitute school board for the Orleans parish public school system.

The high court Monday issued a show cause order on the application of counsel for governor Jimmie H. Davis, and other state officials charged with carrying out the new legislation.

Counsel for state officials asked remedial writs which would stay effect of an order issued last Saturday by Baton Rouge district court judge Fred S. Le Blanc.

The lower court order restrained governor Davis "from appointing or issuing commissions to any members of the Orleans parish school board created by act 3 of the second extraordinary session of the Louisiana Legislature of 1960."

Judge Le Blanc's order additionally restrained the following:

"Wade O. Martin Jr., secretary of state from countersigning such commissions:

**WARRANT RESTRICTION**

"Andrew P. Tugwell, state treasurer, from paying any warrants out of any funds appropriated, dedicated, or provided for the operation of the public schools of the (Orleans) parish, and

"Roy R. Theriot, state comptroller, from drawing or issuing any warrants on the treasurer of the state for operation of the Orleans parish school system."

The order granting writs staying effect of Judge Le Blanc's restrainer, initialed by all seven members of the high court, said:

**"WRIT GRANTED"**

"While this court will not ordinarily exercise supervisory jurisdiction in cases such as this, nevertheless, because of its statewide and extraordinary public interest and importance, and for the further reason that the public fisc is involved, we deem it advisable to act on this application.

"A time for a hearing will be fixed.

"The case will be submitted to this court for the determination of the sole question here presented.

**'DIRECTED TO ORDER'**

"The clerk of court is directed to order attorneys to file briefs and to appear in court for oral argument."

The application for writs was signed by attorney general Jack P. F. Gremillion, his second assistant, Harry Fuller; George M. Wallace, attorney for the secretary of state, and Frank Voelker Jr., chairman of the state sovereignty commission.

Counsel for the governor and other state officials asked that the lower court be prohibited from proceeding further with this case until further orders of the supreme court. Petitioners also asked that the high court render a judgment under its supervisory jurisdiction, declaring that the (new school board) act does not violate the provisions of section 10 of article 12 of the state constitution, and that the act was lawfully enacted, and that Gov. Jimmie H. Davis "should take care that said law be faithfully executed."

**SUIT BROUGHT**

The suit was brought in the lower court by George L. Singelmann, an associate of district attorney Leander Perez of Plaquemines and St. Bernard parishes, and by Lewis S. Doherty Jr., of Baton Rouge.

They contended that the new school board act was unconstitutional in that section 10 of article 12 of the state constitution directs the Legislature to provide for the election of parish school boards, and does not authorize even an interim appointment between the effective date of such a law and the date fixed for the election.

The act of which Singlemann and Doherty complained, they said in their suit, provides that the governor shall appoint five school board members to serve until their successors are elected at the congressional election in 1962.

# U.S. COURT BLOCKS NEW SCHOOL BOARD

## Frantz Boycott Weakens, 17 White Pupils Enter

State officials were restrained Monday by three federal judges from proceeding with a plan to name a substitute school board for the city's public school system.

And in the Louisiana supreme court, justices set a hearing on the constitutionality of the same plan for Monday at 11 a. m.

Action in both courts concerned a law signed by Gov. Jimmie H. Davis on Saturday, creating a new five-member school board to handle finances of the Orleans public schools.

**Also Monday, the white boycott at integrated William Frantz Elementary school was weakened as 17 white students joined the lone Negro first-grader assigned to the school when desegregation started Nov. 14.**

At McDonogh No. 19 school, however, the white boycott continued. The three little Negro girls, first-graders, attended classes alone.

Hecklers who gathered to picket both schools were quiet, compared to the rowdy demonstrations staged last week. And the mobs were the smallest since integration began.

**HECKLERS THROW EGGS**

The only incidents occurring came when hecklers tossed eggs at the Rev. Lloyd A. Foreman and Mrs. James Gabrielle as they were escorting their daughters home from the Frantz school in cars.

Also, the same crowd taunted two out-of-town newsmen, causing police to advise them to leave the neighborhood.

**Meanwhile, an undetermined number of white students who were boycotting the first three grades of both schools were registered in a proposed private school in Arabi.**

In still another court hearing Monday, district Judge J. Skelly Wright said he lacked jurisdiction on the school board's petition asking four local banks to show cause why they should not honor school board checks.

Judge Wright told the board's attorney, Samuel I. Rosenberg, how the petition could be reworded to fall within the court's jurisdiction. Rosenberg said he would file another motion as soon as he could prepare papers.

**ACT ON MANY'S PLEA**

Many school board checks have been frozen since the state Legislature warned these banks they would do business with the board at their own risk.

**The federal panel, including Judge Wright, district Judge Herbert W. Christenberry and appeals court Judge Richard T. Rives, restrained the Legislature, Gov. Davis and a host of other state officials from implementing the school board bill.**

The ruling was issued on a petition from US Atty. M. Hepburn Many. He had filed his petition as a "friend of the court." His office had been asked to serve in this capacity by the federal jurists last week.

The petition said that the school board bill would deprive the city's present board from "operating schools in compliance with the orders of this court."

**17 PUPILS AT FRANTZ**

A suit involving the same legislative bill went to the state supreme court on Saturday in an attempt to place the act beyond federal reach.

The suit, contesting the constitutionality of the bill, was considered a friendly one and was referred to the high court after a Baton Rouge state judge issued a restraining order against enforcement of the act.

**Dr. James F. Redmond, superintendent of schools, said of the 17 white children at Frantz, three were in kindergarten, five were in the first grade, four were in second, one in the third, two in fourth, one in fifth, and one in sixth.**

It was the highest total of white students in the school since the third day of desegregation.

Hecklers tossed eggs at the Rev. Mr. Foreman as he drove through the neighborhood, after taking his daughter out of school at the end of class. Some of the eggs hit the car.

Eggs also were heaved at Mrs. Gabrielle as she returned home with her daughter. They were driven to the Gabrielle apartment in a private car and were followed by a motorcycle police escort.

**BRICK HITS CAR**

After they had entered the apartment, someone in the crowd tossed a piece of brick toward the building, striking a car parked nearby. Police moved in and dispersed the mob.

Newsmen taunted at the Frantz school included Paul Slade of New York, correspondent for the French magazine Paris Match, and Isabella Taves, also of New York, representing Good Housekeeping magazine.

**Police advised them to leave the neighborhood when the hecklers approached them, shouting: "Get 'em out of here."**

Slade later returned to the scene and was truck by an egg.

Only a few jeers greeted white parents and members of Save Our Schools Inc., who transported children to the school.

At the McDonogh school, an estimated 15 or 20 hecklers remained near the building throughout the day.

**ROSENBERG ADVISED**

In the federal court hearing involving local banks, Judge Wright told school board attorney Rosenberg his motion if filed as a pleading in the original desegregation case, would present "no problem" of jurisdiction.

**Earlier, Rosenberg had argued that actions by the Legislature, freezing school board funds, were connected with the interposition act which the three-judge court declared unconstitutional last week.**

Bank atotrneys argued that Rosenberg's motion should be dismissed. They said the court lacked jurisdiction in the case and contended the banks merely were "stakeholders" who shouldn't be sugjected to the risk of having to pay funds to any party in an unsettled dispute.

Banks involved were the Whitney National Bank of New Orleans, Hibernia National aBnk, National American Bank, and the National Bank of Commerce.

**REGISTERING IN ARABI**

It was not known how many pupils had been registered at the private school to be located in a partially remodeled motor

## OTHER STORIES AT A GLANCE

**Orleans parish school board member Theodore H. Shepard Jr. predicts increase in number of white children at desegregated schools, Sec. 1, Page 4.**

**Louisiana supreme court will hear arguments Monday on constitutionality of a state act creating a substitute school board, Sec. 1, Page 6.**

**Undetermined number of white students boycotting the integrated schools register at a private, segregated school, Sec. 1, Page 3.**

**Federal judges restrain state officials from implementing bill to create a new school board for Orleans. The present board's petition to get local banks to honor checks issued by the board is ruled not within the federal court's jurisdiction, Sec. 1, Page 3.**

rebuilding plant in Arabi. Wednesday." Joseph Davies Jr., St. Bernard parish school superintendent, said: "If there is any announcement, it will come at 11 a. m. There were no indications that the school, 7200 N. Peters, might be administered by Davies' board.

14d(1) 1960

LOUISIANA NEW ORLEANS SUIT

# Wagner Suit Being Pondered

The Times-Picayune

## Ruling on Demand for Pupil List Likely Today

A civil district court ruling is expected Wednesday on the demands ofa segregationist member of the Orleans parish school board for the names and addresses of all pupils enrolled in the city's two integrated public schools.

New Orleans, La.

Judge Alexander E. Rainold late Tuesday took under advisement a suit in which board member Emile A. Wagner Jr. seeks orders under which Dr. James F. Redmond, superintendent of the Orleans parish public schools, would supply him with the names of students in the William Frantz and McDonogh No. 19 Elementary schools.

11-30-60

While on the witness stand Wagner testified that in his opinion the pupil placement statute, under which four Negroes children have been placed as students in the former all white Frantz and McDonogh 19 schools, was unconstitutional when applied only to students in the first grades.

11-15

**ARGUMENTS HEARD**

Joseph I. Rosenberg, counsel for the school board, and who represented Dr. Redmond in the action Tuesday, argued that Wagner has no right to seek a mandamus order against Dr. Redmond. He should first apply to the four remaining members of the school board for submission of lists of the students in the schools in question, Rosenberg insisted.

"If he (Wagner) is denied the request by the school board, meeting in formal session, then he has the right to come into court and ask mandamus against the school board," Rosenberg said.

Wagner, through his attorney, Julian B. Humphrey, took the position that as a member of the school board, which has been continued in office by a federal court order, he is entitled to the lists of names he desires.

Further Rosenberg contended that Wagner would not be entitled to the court orders he seeks unless the other members of the school board acted capriciously, arbitrarily and unreasonably, if and when they did refuse to direct Dr. Redmond to furnish the lists requested.

Dr. Redmond, on the witness stand, said that he had not furnished the other members of the school board or its counsel with the names of the four Negro children who have been placed in the Frantz and McDonogh 19 schools.

**REDMOND QUESTIONED**

On cross-examination by Humphrey, Dr. Redmond admitted that he might have indicated to members of the legislative committee named to operate the public schools here that he would supply them with names of the students to be transferred.

"You intended to give the names to the committee, did you not?" Humphrey asked.

"No. I did not," Dr. Redmond replied.

The chairman of the legislative committee on two occasions asked Dr. Redmond to supply the names of transferees to the two elementary schools, but he declined to comply with the request, Dr. Redmond explained. He also said that Wagner had asked him for the names of the Negro children before the present suit was filed.

"This suit," Wagner said, "has no reference to children who have been transferred. It is a request for the names of all students in the two schools. I knew that the names of the transferees would not be furnished.

**WAGNER TELLS PURPOSE**

how the pupil placement had been effected. If I ask the names of all students in the two schools, no harm will be done. I would know the names of the transferees," Wagner added.

"I wanted information as to

As a member of the school board, Wagner said, he was entitled to get the information he sought from Dr. Redmond, an administrative officer of the board.

"The placement plan must be applied to white as well as Negro children. My primary purpose is to try to take care of children who are not in school . . . continued education plans must be made for the pupils enrolled in the Frantz and McDonogh 19 schools, but who are not now in school," Wagner testified.

He said that about 400 students have been taken care of on a make-shift basis in another parish, but that some 600 students have not been taken care of.

**OBJECTION SUSTAINED**

Judge Rainold sustained Humphrey's objection to Rosenberg questioning Police Superintendent Joseph I. Giarrusso, in connection with the police head's recommendations relative to the withholding of the names of Negro children transferred to the Frantb and McDonogh 19 schools.

Those matters, the judge held, were not subject to consideration in the case before him.

Rosenberg said that he wanted to show that the police superintendent had advised against revealing the names to anyone.

Theodore H. Shepard Jr., one of the four parish school board members who agreed to the plan of pupil placement rather than closure of the schools here, said that there had been no regular meeting of the schol board since Nov. 10.

There have been a number of meetings, however, of the committee of the four board members who are working to keep the schools open.

**SHEPHARD BARES DECISION**

Shephard said that the committee of four members of the board had decided against giving Wagner a list of the names of all of the students in the Frantz and McDonogh 19 schools. The four other members of the board, he said, were unanimously against supplying the lists.

Shepard said that he still considered Wagner as a member of the school board. "He is going so far off now in another direction that he is of no value to the school board at this time, and under the present conditions," Shephard said.

Other requests aside from that of Wagner for a list of students in different schools have been made to Redmond, he said, on direct examination by Rosenbarg.

Further Dr. Redmond said that he had made a detailed report of the manner and method of placement procedure in the schools here, but that he had not furnished the names of any students involved. The names of the students are not necessary, he said.

**BOARD POLICY REPORTED**

The names of the students in the two schools involved, Humphrey said, may be relevant to Wagner in his planning to take care of the educational needs and rquiremnts of pupils in the New Orleans schools.

It has been the policy of the school board for years, it was brought out by Dr. Redmond, not to supply the names of students of a school to anyone.

The other members of the school board, with Wagner's exception, according to Shapard, have been named by the board president Lloyd A. Rittiner, as a special committee to handle the affairs of the school board, at this time.

It is inconceivable, Humphrey argued, that the superintendent of schools could withhold from Wagner the information the latter seeks, as a member of the school board.

Judge Rainold blocked efforts of Humphrey to get Dr. Redmond to state whether he, or anyone else had sought to have the Wagner suit removed to the federal court.

# WRIGHT DENIES STATE MOTION

The Times-Picayune

## Refuses to Return Suit to N. O. Civil Court

New Orleans, La.

**Federal Judge J. Skelly Wright refused Friday to order a suit aimed at enjoining the Orleans parish school board from operating the New Orleans public schools returned to state court where it was originally filed.**

**The suit was filed by the state Legislature in civil district court against the school board and sought an injunction prohibiting the board from operating integrated schools as ordered by Judge Wright.**

**Sam Rosenberg, attorney for the board, removed the action to federal court and a week ago Judge Wright heard arguments on a motion by W. Scott Wilkinson, attorney for the Legislature, asking that the case be returned to the civil district court.**

11-30-60

**Wilkinson claimed that the suit presented no federal question and was strictly a state action.**

**Rosenberg contended that the very filing of the suit in state court constituted a violation of the temporary restraining order issued by Judge Wright prohibiting the Legislature from interfering in any way with the integration of the schools.**

**Judge Wright's denial of the motion to remand was in the form of a brief minute entry in which he cited as his authority for the denial the case of Bush vs. Orleans parish school board, the case which brought about the integration orders.**

—Photo by The Times-Picayune.

**DR. JAMES F. REDMOND, THEODORE H. SHEPARD JR. Attend civil district court hearing.**

No violence—

# Integrated schools boycotted in New Orleans

## White children attend classes outside county

The Birmingham News P. 1

Birmingham, Ala. Nov 11-28-60

NEW ORLEANS, Nov. 28 —(AP)— The four Negro girls who pioneered integration in the city's public elementary schools attended segregated schools today for all practical purposes with a white student boycott reaching 99.9 per cent.

White students from the two schools flocked to segregated schools in nearby St. Bernard Parish (county). Newsmen said they spotted only seven white children entering the William Frantz School.

MOTHERS OF STUDENTS at McDonogh No. 19 — The other school integrated by federal court order—said the three Negro first graders "had the school all to themselves."

**The school board at 11 a.m. said only two of the children who entered Frantz stayed for classes. No white students at all, the board said, entered McDonogh No. 19.**

Meanwhile, attaches of the federal court said there would be no ruling today by a three-judge panel on a request to suspend the integration order pending a settlement of federal and state differences. The ruling, they said, would come later in the week.

**Police relaxed their vigilance around the two schools.**

Where hundreds of white spectators jeered the arrival of the Negro girls two weeks ago, only handfuls turned out at the two schools today.

POLICE SUPT. Joseph Giarrusso said he had "about 15" men on duty at McDonogh, but indicated he had "an ample force" in readiness if needed.

There were no incidents at either school today, except for boos and jeers when the girls arrived accompanied by federal marshals.

**The city's public schools were closed last week due to a teachers' convention and the Thanksgiving holiday. But there appeared to be no letup to the boycotts at Frantz and McDonogh No. 19.**

President Armand Duvio of the educational cooperative at Frantz said buses took 104 students to schools in neighboring St. Bernard. The cooperative is composed of parents who work with teachers on school projects.

Duvio said collections for private schools for Frantz and McDonogh No. 19 students over the week-end totaled "a little over $2000.

U. S. Dist. Judge J. Skelly Wright ordered intergation of first grades Nov. 14.

THE PANEL considering the school board's petition includes Judge Richard T. Rives, chief judge of the U. S. Fifth Circuit Court of Appeals! U. S. Dist. Judge J. Herbert Christenberg and Wright.

The panel also had before it a state suit asking that all school integration orders be tossed out, and a federal petition that the state be permanently restrained from interfering with public school administration.

**The conflict left a legal tangle that caused New Orleans public school teachers to miss last Wednesday's monthly payday. The school board said the Legislature had divested it of funds to meet the $2,525,000 payroll.**

The Legislature then appropriated the funds, and teachers were told they would begin receiving their pay checks today. Then, Sunday night, House Speaker J. Thomas Jewell said it would be Wednesday before the payroll could be processed.

**On Nov. 18, end of the first week of integration, McDonogh No. 19 School had a total attendance of three Negro first-graders. At the Franz School, there were four white pupils and one eNgro. Normally the two schools have an attendance of about 1000.**

There have been reports that Catholic schools in the New Orleans archdiocese would desegregate. But the Rt. Rev. Msgr. Henry C. Bezou said Sunday that no definite date has been set.

**NEW ORLEANS PUPILS WAIT FOR BUS TO TAKE THEM TO SEGREGATED SCHOOL . . . This group waited across street from McDonogh School, one of two integrated**

14d(1) 1960 LOUISIANA NEW ORLEANS NOV. 1960 SCHOOLS BOYCOTTED

In New Orleans

# Whites Boycotting Integrated School

NEW ORLEANS —(AP)— White students from two nearly integrated public schools flocked to nearby segregated schools today in a boycott nearly 100 per cent complete.

Three Negro girls entered McDonogh No. 19—one of the two integrated schools — at 8:45 a.m. (CST) today. One woman among the 100 or so white spectators yelled:

"You've got the whole school to yourself now."

The city's public schools reopened after a week's vacation due to a teachers' convention. But there appeared to be no letup in objections to school integration as ordered by a federal judge.

President Armand Duvie of the education cooperative at the William Frantz school — where one Negro girl attends the first grade —said buses took 104 Frantz students to schools in neighboring St. Barnard Parish (county).

The city tensely waited for the ruling of a three-judge federal tribunal, considering a request to suspend temporarily the integration order pending the settlement of state and federal differences. Their opinion was expected today.

Chartered buses took the boycotting white children to schools in St. Barnard Parish.

There were no incidents at either school.

Duvie said collections for private schools for Frantz and McDonogh No. 19 students over the weekend totaled "a little over $3,000."

## WHITE BOYCOTT IS VIRTUALLY COMPLETE AS NEGROES ENTER

NEW ORLEANS (AP) — White students from two nearly integrated public schools flocked to nearly segregated schools today in a boycott nearly 100 per cent complete.

Three Negro girls entered McDonogh No. 19 — one of the two integrated schools — at 8:45 a.m. (CST) today. One woman was among the 100 or so white spectators yelled:

"You've got the school to yourself now."

One Negro girl entered William Frantz school in the company of three U.S. marshals.

A group of about 15 white mothers let out a brief chorus of boos.

# Mixed Schools Boycotted By New Orleans Whites

NEW ORLEANS (AP) — Angry white parents boycotted two integrated public schools Monday, condemning four Negro first graders to virtual segregation once again.

"You've got the whole school to yourself now," yelled a woman as three of the 6-year-old pioneers in Deep South school integration entered McDonogh No. 19 school.

Seven U.S. marshals ushered the trio into McDonogh and three others accompanied the lone Negro girl who went into William Frantz School.

Hooting and jeering spectators numbered about 100 at McDonogh but only about 15 women were at William Frantz, the quietest school opening since integration began two weeks ago.

**WATERED DOWN**

A week's holiday for the city's 93,000 public school pupils watered down the heat of those who demonstrated violently week before last.

Truancy and absence in the rest of the city's white schools dropped to nearly normal for a Monday. There was a 99.9 per cent boycott of William Frantz and McDonogh No. 19.

Police cut down the number of men assigned to the two schools, but none counted the school crisis over.

At McDonogh, a building normally bustling with 467 pupils, three Negro girls sat in their first-grade room with their white teacher.

At William Frantz, where 571 pupils normally jostle and chatter, one Negro first-grade girl sat alone with her teacher. In kindergarten, a white girl sat. In a higher grade, a second white girl studied.

**MAKING TIME**

There were no more white pupils there.

It was almost as if everyone were marking time — perhaps waiting for a three-judge federal court to rule on motions to temporarily halt integration, and to abandon integration plans.

High feelings still boiled just below the surface. A Roman Catholic priest visited William Frantz during the morning, in company with a Protestant minister who came to get his girl from kindergarten after classes.

When the priest left, a woman approached him. "Is there any place in the Bible that says we have to integrate?" she asked the priest.

"What do you mean by integrate?" replied the priest.

The woman threatened to spit on and slap the priest.

"He made little of me!" she snapped.

For more than 100 pupils of William Frantz school there were classes. They were in schools, still segregated, in adjoining St. Bernard Parish.

**LESS URGENCY**

Armand Duvio, head of a William Frantz group, said chartered buses took 104 pupils of the fourth, fifth and sixth grades to the other parish.

Parents felt less urgency about the schooling of pupils in the first, second and third grades.

Collections for establishment of private schools to handle William Frantz and McDonogh No. 19 pupils reached $2,000, Dunio said.

New Orleans teachers went payless last week, caught in the middle of a fight for power between the Louisiana Legislature and the New Orleans School Board.

The legislature appropriated funds, finally, to pay them, and said checks would reach the teachers but the checks had not arrived.

# 2 Schools Boycotted In Orleans

## Integrated Classes Left to Negroes

NEW ORLEANS (AP) — Angry white parents boycotted two integrated public schools Monday, condemning four Negro first graders to virtual segregation once again.

"You've got the whole school to yourself now," yelled a woman as three of the 6-year-old pioneers in Deep South school integration entered McDonogh No. 19 school.

*Louisiana Legislature kills resolution to withhold electors' votes. Page 2.*

**MARSHALS GUARD TRIO**

Seven U.S. marshals ushered the trio into McDonogh and three others accompanied the lone Negro girl who went into William Frantz School.

Hooting and jeering spectators numbered about 100 at McDonogh but only about 15 women were at William Frantz, the quietest school opening since integration began two weeks ago.

A week's holiday for the city's 93,000 public school pupils watered down the heat of those who demonstrated violently week before last.

**99.9 PCT. BOYCOTT**

Truancy and absences in the rest of the city's white schools dropped to nearly normal for a Monday. There was a 99.9 per cent boycott of William Frantz and McDonogh No. 19.

Police cut down the number of

men assigned to the two schools, but none counted the school crisis over.

At McDonogh, a building normally bustling with 467 pupils, three Negro girls sat in their first-grade room with their white teacher.

**SITS ALONE**

At William Frantz, where 571 pupils normally jostle and chatter, one Negro first-grade girl sat alone with her teacher. In kindergarten, a white girl sat. In a higher grade, a second white girl studied.

There were no more white pupils there.

It was almost as if everyone were marking time — perhaps waiting for a three-judge federal court to rule on motions to temporarily halt integration, and to abandon integration plans.

**FEELINGS BOILING**

High feelings still boiled just below the surface. A Roman Catholic priest visited William Frantz during the morning, in company with a Protestant minister who came to get his girl from kindergarten after classes.

When the priest left, a woman approached him. "Is there any place in the Bible that says we have to integrate?" she asked the priest.

"What do you mean by integrate?" replied the priest.

The woman threatened to spit on and slap the priest.

"He made little of me," she snapped.

For more than 100 pupils of William Frantz school there were classes. They were in schools, still segregated, in adjoining St. Bernard Parish.

Armand Duvio, head of a William Frantz group, said chartered buses took 104 pupils of the fourth, fifth and sixth grades to the other parish.

Parents felt less urgency about the schooling of pupils in the first, second and third grades.

# State Runs Schools At New Orleans

The Atlanta Constitution
Thurs. 8-18-60 P. 8

BATON ROUGE, La. (AP)—Gov. Jimmie H. Davis Wednesday took over administration of New Orleans schools in an effort to prevent integration of the first grade next month.

U.S. Dist. Judge J. Skelly Wright has ordered the Orleans Parish—county — School Board to integrate the first grade in September.

**UNDER 1960 LAW**

Davis acted under a 1960 legislative law which permits the governor to supersede parish school boards to prevent racial integration of public schools.

The new state law permits the governor to take over "exclusive control, management and administration of public schools . . . on a racially segregated basis until such time as the Legislature shall classify or reclassify schools to place into operation there a plan of racial integration."

**ORDERED BOARD**

A state court, holding that only the Legislature can reclassify a school racially, has ordered the Orleans School Board not to comply with Judge Wright's desegregation ruling.

Davis' action gives him complete control over schools pending a meeting of a recently organized four-man legislative committee to reclassify schools as white and Negro.

The Legislature, under the move, must ratify classification of schools, so a special session of the Legislature may be required before the September school opening.

Davis' executive order apparently insured that for the time New Orleans schools will be racially segregated.

**LATEST IN SERIES**

The maneuver was the latest in a series designed to continue school segregation in Louisiana.

Davis also is authorized under another new legislative act to close all public schools in the state whenever one is integrated.

Earlier Wednesday a three-judge federal court, including Judge Wright, set Aug. 26 as the date for a hearing of Negro and white injunction suits seeking to prevent Davis from interfering with school integration.

The injunction was sought by attorneys for the National Assn. for the Advancement of Colored People and by 31 white parents of children enrolled in schools in New Orleans. The three-judge court consolidated the suits.

**ASKING DELAY**

The white parents, in addition also filed a suit Wednesday asking Wright to delay school integration "at least one year."

The parents said more time was needed to prepare a "good-faith plan" and to allow for community adjustment.

The three-judge court also ordered the U.S. marshal to continue efforts to serve court papers on Davis and State Atty. Gen. Jack Gremillion.

The court told the marshal to "use any number of deputies which the service requires."

# DAVIS TAKEOVER ACTION BACKED

New Orleans La.

## Sovereignty Commission Voices Approval

Tues. 8/23/60

The Louisiana sovereignty commission Monday announced its endorsement and approval "without reservation" of the action of Gov. Jimmie H. Davis in taking over control of the New Orleans public school system.

**"Minority forces for integration with the powerful help of the judicial pen are waging a strong attack on one of the state's most precious sovereign rights, the right to establish, maintain, operate and control its own public school system," the commission said.**

The commission's statement was read by its chairman, Frank Voelker Jr. of Lake Providence at an open meeting in the Supreme Court building Monday afternoon. Its preparation had been agreed on at an executive session during the morning at which commission members obtained information on the status of the state's fight to maintain racial segregation in the schools, Voelker said.

**QUESTION ANSWERED**

A person present at the public meeting asked Voelker what was the "nature of the strategy" which would be employed in the legal effort to keep the schools open and segregated.

**"To divulge that information would be unwise; it would be premature," replied Voelker.**

"I agree with the chairman's statement," observed Attorney Gen. Jack P. F. Gremillion of Baton Rouge, a commission member.

A Negro, who gave his name as "Sartor" asked the commission if, since the 13th, 14th and 15th Amendments were parts of the Constitution it was not the duty of Louisiana's authorities to uphold them.

**Emile A. Wagner Jr., a commission member from New Orleans and a member of the Orleans parish school board, replied that for many years the United States supreme court upheld the principle of segregation in schools and elsewhere on the basis of the decision embodied in the case of Plessey vs. Ferguson, which set forth the doctrine of separate but equal facilities.**

During the intervening years between then and the decision of the supreme court in 1954 outlawing racial segregation in the nation's public schools no one questioned the right of the National Association for the Advancement of Colored People to have the court reverse the Plessey vs. Ferguson decision, Wagner said.

**LEGAL STEPS**

"We hope to have the unconstitutional declaration of Brown vs. Topeka overruled," said Wagner in a reference to the supreme court decision declaring school segregation unconstitutional.

Voelker observed that the commission would take legal steps to defend the state's sovereignty on any matter "which involves an encroachment by the federal government on the sovereignty of the state of Louisiana." This would involve matters pertaining to the tidelands and voter registration as well as school segregation, Voelker explained.

Voelker remarked that the commission had only held its first meeting on Aug 2, but that: "We are beginning to see a little light and we hope that we are going to be effective."

Gremillion remarked that the federal government "is not infallible" and that "we believe that what is reserved to the states shoulb be left to operate that way."

Walter J. Sutton Jr., a New Orltans commission member, remarked that "We feel that we know our rights. We are going to continue to stand for them and we are not going to give in."

**Preceding the meeting State Sen. Wendell Harris of Baton Rouge, vice-chairman of the commission predicted that Gov. Davis would be successful in his efforts to keep the schools open and segregated.**

Harris asserted that the Legislature is ready to meet an any time to enact new segregation laws as rapidly as the old ones are invalidated in the courts.

**'DO-OR DIE CASE**

However, Rep. J. Thomas Jewell of New Roads, speaker of the House of Representatives and also a member of the committee, asserted that he knew of no plans for a special session of the Legislature.

"This is a do-or-die case," said Harris of the New Orleans school segregation case. "We are fully backing the governor of the state. This test case is the most far-reaching case in the history of the state.

Approximately half a dozen Negroes and 15 white persons in addition to representatives of the press and other news media were present at the public meeting of the commission.

**Eleven of the 13 members of the commission members were present in person and Gov. Davis, one of the ex-officio members, was represented by his executive counsel, Owen Ware of Baton Rouge. The only other member absent was Charles Kay of Houma.**

The 11 members present were the four other ex-officio members, Lt. Gov. C. C. Aycock of Franklin, Gremillion, Speaker Jewell and State Sen. Robert A. Ainsworth Jr. of New Orleans, president pro tem of the Senate; Voelker, Harris, Suthon Wagner, Stuart S. Kay of DeRidder, Herman Taylor of Natchitoches, and J. C. LeSage Sr. of Homer.

**STATEMENT GIVEN**

The commission's statement follows:

"This Commission is obligated to do all things necessary and proper to protect the sovereignty of the state from encroachment, and to resist usurpation of rights and powers reserved to the states. The simple fact of enactment of legislation and the creation of this commission implies recognition of encroachments already made the existence of those in process, and the threat of others to come. Protection of sovereign rights and resistance to further transgression is essential to the preservation of a Democratic process, and an established way of life entirely acceptable to a vast majority of our citizenry of both races.

"We, therefore, without reservation endorse and approve Governor Davis' assumption of control of the New Orleans schools. Minority forces for integration with the powerful help of the judicial pen are waging a strong attack on one of the state's most precious sovereign rights, the right to establish, maintain, operate, and control its own public school system. We commend Gov. Davis, Attorney General Gremillion, and the members of the Legislature for the fight they have waged, and we join in that fight wholly and completely.

"We have held this meeting to inform ourselves of details necessary to our immediate objective. We anticipate a key role in the formulation of the strategy to be followed during the coming weeks to assure continued efective operation of public schools on a segregated basis. To prematurely divulge these plans would be unwise.

"We are not content to simply protect the sovereignty and resist encroachment. We will make every effort to regain and recover the rights which have been lost.

Our meeting today is directly connected with our stated duty. We urge your continued confidence in and support of Gov. Davis and your elected officials."

# Court Tells La. Gov. 'Hands Off'

The Pittsburgh Courier
Pittsburgh, Pa.

By JOHN E. ROUSSEAU

NEW ORLEANS, La. — The Federal Court on Saturday afternoon issued a restraining order prohibiting the State of Louisiana from interfering with the integration of New Orleans public schools in September.

Sept. 3, 1960

The special three-judge court at the same time cite Atty. Gen. Jack Gremillion for contempt and ruled unconstitutional Act 496 which Gov. Jimmy Davis employed to take over New Orleans schools.

The decision restrains the Governor from enforcing Act 496 and six other state laws concerning public schools.

**IT RETURNED** control of public schools to the Orleans Parish School Board and ordered compliance with Judge J. Skelly Wright's previous ruling that schools must integrate at the first grade level without interference of state courts or officials.

Isn't This Contempt of Court?

The Pittsburgh Courier p 2

# La. State Atty. Calls U. S. Court a 'Den of Iniquity'

Pittsburgh, Pa. Sat 9-3-60

By JOHN E. ROUSSEAU

Sat. 9-3-60

NEW ORLEANS — A special three-judge Federal Court took under advisement Friday, two suits aimed at paving the way for the opening of New Orleans public schools on an integrated basis without state interference.

**•Atty. Gen. Jack P. E. Gremillion, after presenting several motions, stormed out of the packed courtroom calling the tribunal a "den of iniquity" and saying the State of Louiana was being "persecuated."**

In one suit, the NAACP asked to restrain enforcement of "a hastily enacted 1960 State law under which Gov. Jimmie H. Davis seized control of New Orleans public school on Aug. 17.

A separate suit by 31 white parents seeks to prevent the state from enforcing its school segregation laws 19 of which were enacted or re-enacted by the 1960 State Legislature.

■

**THE BRIEFS** and arguments in the NAACP's case (which developed from the original Earl Benjamin Bush vs. Orleans Parish School Board filed in 1954) were presented by Attorneys Thurgood Marshall, New York, and A. P. Tureaud, New Orleans.

Atty. Gen. Jack P. F. Gremillion, who was named a defendant in the suits along with Governor Davis, filed motions asking the dismissal of the two suits.

The Governor, who successfully eluded U. S. deputy marshals who sought to serve him subpoenaes, was not present for the hearing.

The special Federal Court panel consisted of Chief Judge Richard T. Rives of the U. S. Fifth Circuit Court of Appeals, and U. S. District Judges Herbert W. Christenberry and J. Skelly Wright. The latter, last May, ordered the Orleans Parish School Board to integrate the first grades of all schools when the term opens, Sept. 8.

■

**GERMILLION FILED** motions for continuance in each case contending that the parties to the litigation had not been adequately brought to court; that the 19 new segregation statutes have not been interpreted by the state courts, and that the 31 white parents make a more definite statement as to their grounds for challenging the state laws.

Further, he filed a motion to make Federal Judge Wright a party defendant to the action of 31 white parents; challenged the action which named him and Governor Davis defendants in the Bush case, and claimed he was improperly served with papers making him a defendant in the case.

Parents of some 90,000 public school pupils—Negro and white—were awaiting the court's ruling late Frday. Many are confused because of the situation which has developed, and because of the Governor's insistence that the public schools will be opened on a segregated basis.

■

**HUNDREDS** were turned away from Federal courtroom in the Post Office Bldg. where the hearing was held. The 80-odd available seats in the courtroom were occupied nearly two hours before the hearings began.

Chief Judge Rives said the court would rule "as promptly as possible to avoid any confusion about the opening of the schools Sept. 7."

Governor Davis, who advanced the opening day after taking over the public schools, declined to say if he would close the schools if the Federal Court rules in favor of the plaintiffs. He would only say, during a television interview, "We'll cross that bridge when we come to it."

## A Lesson Unheeded

*The Arkansas Gazette*

LOUISIANA'S self-styled "racial watchdogs" have made two statements which tacitly admit that the New Orleans school crisis has become a battle between the forces of law and order and friends of public education on the one hand and the enemies of order and education on the other.

Said state Rep. John Garrett: "This is no longer a legal battle."

And on another matter, State Rep. Willie Rainach: "A week or even a year without school isn't going to be fatal."

If it is no longer a legal battle, it is per se an illegal battle. Thus, we witness the city government and the school forces of New Orleans trying to maintain law and order against a street mob, which is wreaking its vengeance on the good name of New Orleans just as a similar mob did on Little Rock's and doing it there, as in Little Rock, with the encouragement of the state government.

Moreover, we see the legislature of the state of Louisiana openly encouraging a boycott of the schools. We see this same legislature ignoring, even trying to dismiss the moderate majority on the New Orleans School Board.

Thus, it is apparent that the Louisiana legislature has chosen to align itself with the enemies of public education and of law and order. In Baton Rouge the bitter lessons taught at Little Rock have gone unheeded.

## Tragedy Of New Orleans

*The Lee County Bulletin*

AS ADULTS square off on opposing sides in New Orleans and Louisiana to fight the battle of school desegregation they seem to have forgotten the children. The tragic circumstances which beset the New Orleans school system fall upon the boys and girls, of course, and it is they who will have to pay the price of uncompromising bitterness.

The political leaders know that compliance with federal court orders is inescapable if public schools are to be operated. As in Arkansas and Virginia, they go ahead creating a chaotic situation out of which no possible good can come. Wherever federal authority runs counter to state authority in these matters, federal law will prevail. This question was decided in 1861-65.

Will we in Alabama also refuse to learn and profit by the experience of these other states? The only alternative is not wholesale, indiscriminate desegregation. Fair and discriminating use of the state's pupil-placement law can save us if our leadership will but lead sensibly.

# Legislators Accuse Ike, Courts Of Red Conspiracy In New Orleans Integration

The Courier-Journal p. 1
Louisville, Ky. Thurs. 11-24-60

## 'Mourning' Spectators See Voting

By The United Press

Baton Rouge, La., Nov. 23.—The Louisiana House of Representatives, foiled at every turn in its efforts to end integration of New Orleans schools, Wednesday accused President Eisenhower and the federal courts of being involved in a Communist conspiracy.

The resolution stopped just short of calling them Communists. But it bogged down in the Senate, where one lawmaker said it was "the worst piece of legislation I have ever seen" and was toned down to more vague terms.

The House, meeting under the watchful eyes of black-clad mothers and children "mourning" for their integrated schools, passed the resolution unanimously.

**Resolution Toned Down**

It said that the United States Supreme Court, supported by the entire federal judicial system and the executive branch of the Federal Government, is "making common cause with the Communist conspiracy to destroy our public-school systems and our standards of education."

In the Senate, it was toned down to read "some" of the federal judiciary and "some of the members of the executive branch" before it passed, 25 to 11. The House had already adjourned until Sunday, so it could not vote on the Senate amendments, which leaves the resolution hanging in limbo.

The Legislature passed another resolution ordering $2,535,312 be deposited with the Legislature to pay the teachers of the embattled New Orleans schools.

**Source Of Pay Told**

The resolution ordered that when the teachers' checks are mailed to them, the envelope include a note pointing out that the Legislature, not the School Board, was paying them. Segregationist leaders said that New Orleans School Superintendent James F. Redmond and School Board attorney Sam Rosenberg would not get paid.

New Orleans lawmakers led the Senate opposition to the resolution condemning the Federal Government. The resolution said in part that an "atheistic, Communist menace . . . has infiltrated the highest councils of our nation."

"This is too strong," said Senator Robert Ainsworth. "It implies a charge of treason." The resolution then was amended to read "some of the highest councils."

Another senator said that "calling Eisenhower a Communist just because I don't recognize a Supreme Court decision is not my way of doing things."

**Ruling Attacked**

The resolution said that when the Supreme Court made its original integration ruling, it did so on the authority of alleged "Communist writings' and, therefore, adopted "the Communist conspiracy against the American people."

The Legislature also voted to give $25 each to the State policeman who, at the Legislature's instructions, tried to enforce a school holiday when two elementary schools were integrated by four Negro girls last week.

Louisville, Ky.

The State policemen, who took action when school officials ignored their announcements that schools were supposed to be closed, will get a total of $1,350.

**Spectators Wear Black**

Before the session began, a group of about 200 mothers, a few fathers, and little children, all wearing something black—in some cases only armbands—to mourn their integrated schools, marched into the House gallery.

The first child in carried a miniature, flower-decked casket housing a doll. The doll was supposed to represent Judge J. Skelly Wright, the district judge who ordered integration. Behind that came another child carrying a black cross, and then came the rest of the procession.

The children were reportedly all students at the two integrated elementary schools in New Orleans who have boycotted classes. All schools in the state are in the midst of a week-long holiday for teachers' conventions and Thanksgiving.

The Louisiana Teachers Association closed its convention Wednesday by passing overwhelmingly a resolution supporting Governor Jimmie Davis—who promised to pay their salaries—and other State officials fighting integration, and condemning Judge Wright.

It resolved that "the usurpation of power as shown in the rulings of Judge J. Skelly Wright and the resulting encroachment on State sovereignty be resisted and fought by every legal and honorable means."

## Whites Are Taken Out Of Integrated Schools

New Orleans, Nov. 23 (AP)—The mass transfer of white students from two newly integrated New Orleans public schools added a new perspective to the taut integration-segregation battle Wednesday.

Students in the fourth, fifth, and sixth grades at McDonogh No. 19 and the William Frantz schools—integrated by four Negro first-graders last week—were accepted at schools in neighboring St. Bernard Parish (County).

## Urge Ike To Speak On New Orleans Schools

The Courier-Journal
Louisville, Ky.
Kansas City Mo.
Times
Dec 11 26 60
p. 11

NEW YORK — (UPI) — President Eisenhower Saturday was urged to make a personal plea for peaceful desegregation of New Orleans schools.

Adolph Held, national chairman of the Jewish Labor committee, said in a telegram to the President at his vacation headquarters in Augusta, Ga., the outbreaks of violence and one-week closing of schools in New Orleans warranted a personal appeal to "uphold the law and end mob action.

"Such an appeal would assure the world that constitutional guarantees will not be circumvented by bigoted legislatures or mass-induced hysteria," Held's telegram said.

"Failure to provide such moral leadership and affirmative action invites, as seen in Little Rock, a breakdown of law and uncalculable damage to American prestige at home and abroad."

Held's organization represents 500,000 Jewish workers in the AFL-CIO.

STILL IN SCHOOL — Pamela Lynn Foreman, 5, yesterday walked with her father, the Rev. Lloyd Foreman (right), New Orleans Methodist minister, and a Roman Catholic priest, the Rev. Jerome Drolet, as she left William Frantz Elementary School in New Orleans yesterday. She is one of two white children still attending the school where one little Negro girl is enrolled in the first grade. —UPI Telephoto

The Commercial Appeal Memphis, Tenn. Dec. 1-2-60 Sec. 1 p. 9

# Priest, Minister And Child Reviled By Mob Of Mothers

By JOSEPH C. KOENENN
Staff Writer

NEW ORLEANS, Nov. 28 — A Catholic priest and a Methodist minister walked shoulder-to-shoulder Monday into William Frantz elementary school in defiance of a boycott that left the desegregated school almost empty.

The minister, the Rev. Lloyd Foreman, went to the school to pick up his 5-year-old daughter, one of two white pupils who attended classes with a Negro girl enrolled in the first grade.

The priest, the Rev. Jerome Drolet, went along to lend his moral support.

About 20 minutes later they returned with Pamela Lynn Foreman walking between them. Her hand reached up to clutch that of her husky father.

The three were greeted by catcalls from the angry mothers of children who formerly attended the school. They maintained a vigil, along with policemen and reporters throughout the school hours.

**'Spit On Him!'**

When he heard the noise from the women clustered on a street corner, Father Drolet crossed over to speak to them. The Rev. Mr. Foreman and Pamela continued on their way home, a block and a half from the school.

The priest's efforts to talk to the women brought threats from them. One woman yelled: "Let's spit on him."

Another, Mrs. Nola Simmons, told him: "I ought to slap your face."

Mrs. Simmons, who said she once taught a Sunday School class at her Lutheran church, challenged Father Drolet to "show me in the Bible where it says we have to integrate." She yelled it to the priest as he passed in front of her home.

Father Drolet, who had just turned his back on similar taunts a half block away declined to argue scripture with the woman. She then accused him of "making little of me" and the threats began.

By that time, the Rev. M. Foreman and his daughter had reached their small white frame house. Father Drolet had spent most of the morning there talking to the Foremans.

Their friendship — on a first-name basis—was begun with the integration troubles of Pamela, her more than 400 classmates and their parents.

Father Drolet, long a South Louisiana champion of clean government, looked up the Methodist minister after he heard he was sending his daughter to the school despite the boycott.

The Rev. Mr. Foreman explained his action by saying everyone, at some time "not only is called on to stand and be counted where the law of man is concerned but where the law of God is concerned."

His defiance of the Citizens Council - inspired boycott has brought a steady stream of telephone calls. So far, he said, there had been no threats.

Although many of his flock are ardent segregationists, they have recognized his right to follow his conscience in the school fight. Last week, after a few angry speeches, church leaders of St. Mark's Methodist Church gave him a vote of confidence.

**Bulletin Plea**

Father Drolet devoted half of his parish bulletin Sunday to a plea against "hate and subversion."

In a reference to the women who lined the streets around the school, he said "most real mothers are for open schools and against hate."

The Foremans are trying to maintain a normal household routine. They sat their daughter down at a table earlier this month and explained what awaited her at school. They asked her if she wanted to go. She nodded, "Yes."

Asked by a New York radio station to talk about her experiences in a telephone interview, she said: "We've had some trouble down here and all the children are mad. I hope they won't stay mad long. I hope they come back so we can play."

Confident the integration will proceed, they said they are concerned that the scars of the current dispute may mark the children in the years ahead.

# SPEAKING EDITORIALLY-

## Louisiana Votes For Dems And Also For Segregation

The Tribune
Houston, Texas
Sat. 11-12-60
P. 5

On the very day, Tuesday November 8th, that Louisiana was voting for Kennedy and Johnson, its Governor Jimmie H Davis signed bills passed at his request by the state's legislature, giving him new legislation under which he hopes to perpetuate segregation in the schools.

This brings to mind the fact that Senator Lyndon Johnson closed his Southern whistlestop campaign in New Orleans, where he was given a rousing climax by Senator Russell Long and other segregationists.

**Segregation and the Parties**

The fact that neither Senator Kennedy nor Senator Johnson said a word about making any fight upon segregation if elected, and the fact that they still held the Negro vote in line to the extent that they did, point up the feeling of the Democrats that they can beat the Republicans without making any fight upon segregation.

To the credit of Ambassador Henry Cabot Lodge, he promised not only a Negro in the President's cabinet and appointments as ambassadors to foreign lands, but also to "exercise the good office of the White House and the full powers of the Federal Government to end segregation in the public schools, in public eating places, and in other public facilities."

But the Republicans were too cautious and hopeful of being elected by the South, to repair to the principle upon which their party was founded and to take up the great ideal and principle announced by Ambassador Lodge as their chief battle-cry for the campaign.

**Both Overlook the Real Enemy**

By this kind of approach to the greatest issue of our times, both major parties overlook the real enemy of this nation's future victory in the struggle with the Communists. For, as Episcopal Bishop Pike of California has so well put it: "Treason consists of giving our enemies the means to destroy us, and under that definition segregation is the basest treason." And, as Bishop Pike adds:

"Segregation is alienating the world, and even if there were cultural arguments in favor of it, segregation is a luxury that this nation can no longer afford."

**The Principle Is Still There**

But the principle is still there, regardless of the outcome of any particular election, and regardless of what position at any given time either major party or even Negroes, may take toward that principle. If segregation cannot be destroyed in America, then American Negroes can never achieve full freedom of citizenship, and the United States can never ultimately win the minds and the hearts of the colored peoples of the earth, who make up three-fourths of the world's population.

## Louisiana Group Demands Kennedy Give Rights View

The N.Y. Times
New York, N.Y.
Mon. 11-21-60
P. 1, 22

By W. H. LAWRENCE
Special to The New York Times.

PALM BEACH, Fla., Nov. 20—Five representatives of the Louisiana state government demanded of President-elect John F. Kennedy today a clear-cut stand of future Federal policies toward judicially enforced racial integration of public schools.

The men had asked to see the President-elect, but Senator Kennedy declined to see them. Instead, he designated Clark M. Clifford, Washington lawyer, as his representative to receive a joint resolution of the Louisiana Legislature and an Executive order signed by Gov. Jimmie H. Davis.

Mr. Clifford met with the group for forty minutes at the Colony Hotel late this afternoon shortly after his arrival in Palm Beach. The Louisianans left almost immediately for Baton Rouge, where the Legislature has been called into special session to fight racial integration in New Orleans public schools.

"We are not happy," one of the Louisiana group said as he left the hotel.

With Senator Kennedy's electoral vote cut to 300—only thirty-one more than the 269 required for election in the Electoral College—the Louisiana petition is politically hot. It comes at a time when anti-Kennedy Southeners are still trying to take enough pro-Kennedy electoral votes from the Democratic nominee to throw the Presidential election into the House of Representatives.

There, each state, large and small, would cast a single vote for President, dependent on the decision of a majority of each delegation in the House. While some Southerners contend they could make a better deal in such a contest, the indications from the make-up of the new House of Representatives are that a majority of states would vote for Senator Kennedy even if the election went into the House.

**Petition is Received**

Mr. Clifford said he had received the Louisiana petitions for transmission to Senator Kennedy, and had expressed no firm policy oponions himself.

Specifically, the Louisiana resolution called on Senator Kennedy to express his feelings about the action of United States District Judge J. Skelly Wright in enjoining the Louisiana Legislature from interfering in the integration of New Orleans public schools.

The delegation included two State Senators, Sylvan Friedman and F. W. Gravolet Jr.; two state Repersentatives, Bryant Lehman and Risley Triche, and the secretary to Governor Davis, Christian Faser Jr.

Mr. Clifford flew from Washington to iMami in midafternoon, then had been driven to Palm Beach. He was an overnight guest to Senator Kennedy's house.

**Discussion on Budget**

Tomorrow, Senator Kennedy and Mr. Clifford will discuss quick appointment of a director of the Bureau of the Budget, or at least a Democratic representative of the future Budget Bureau director.

This is an essential early step because the Eisenhower Administration is putting final touches to a budget message that must go to Congress in mid-January. The new President must be ready to suggest fiscal changes to the new Congress shortly after he takes office.

Mr. Clifford, who is Mr. Kennedy's liaison with the Eisenhower Administration in preparing for the change-over, said the cooperation had been "excellent." He added that the Budget Bureau especially had done a superb job in preparing briefing and informational papers for the man selected by Senator Kennedy as his representative in this field.

**New Orleans Is Calm**

NEW ORLEANS, Nov. 20 (UPI)—The city and state waited tensely today for a Federal court ruling on whether New Orleans must press on with integration of its public schools.

A new flare-up of smoldering racial tension was feared if the panel of three Federal judges ordered four Negro girls kept in two previously all-white schools.

All public schools in the state begin a week's holiday tomorrow because of a series of teachers' meetings and the Thanksgiving Day holiday.

New Orleans was unusually quiet today. The police said last night was the calmest Saturday the city had experienced in months. Business was reported down sharply in the restaurants and night clubs of the French Quarter.

## KENNEDY REJECTS LOUISIANA'S PLEA

The N.Y. Times
New York

### Finds It Improper to Make Comment on Integration Issues Before Court

PALM BEACH, Fla., Nov. 21—President-elect John F. Kennedy advised Louisiana officials today that he could not properly comment on legal issues involving racial integration on public schools now pending before Federal courts.

This was his answer to demands from a delegation of five Louisana officals for a clear-cut statement on future Federal policy toward judicially enforced integration and, specifically, Senator Kennedy's view of an injunction against the Louisiana Legislature to keep it from interfering with an integration program in New Orleans.

The petition was presented late yesterday to ClarkM. Clifford, a Washington lawyer who had been delegated by Senator Kennedy to see the Louisana group.

Mr. Clifford said today he had told Sen. Kennedy that he felt it would be highly improper for the Senator to comment on anything now pending before the judiciary branch.

"Senator Kennedy said he felt the same way about it," Mr. Clifford said.

Mr. Clifford telephoned the Louisiana group this morning to give the Senator's answer to Christian Faser Jr., secretary to Gov. Jimmie H. Davis. Mr. Faser received the information without any direct comment, according to Mr. Clifford.

Mr. Clifford was asked what Mr. Faser had said.

His reply was:

"He said, 'Is that all?" and I said, 'That is all." and he said, 'All right,' and I said, 'good-by,' and he said, 'good-by.'"

### Negroes Harassed

By CLAUDE SITTON
Special to The New York Times.

NEW ORLEANS, Nov. 21—A campaign of harassment has developed here against the families of Negro pupils enrolled at two previously white schools. The militant segregationists behind it have been hampered, however, by their inability to learn where all the families live. Education officials and the police have sought to keep the information from becoming public.

A. P. Tureaud, a local lawyer representing the National Association for the Advancement of Colored People, said the addresses of at least two families had been learned despite the secrecy.

The father of one pupil was discharged from his job last week as a service station attendant. He has since found work as a construction laborer, Mr. Tureaud said.

He said another family was forced to disconnect its telephone because of threatening calls.

The uncle of one of the pupils was approached by a white man in near-by Plaquemines Parish (County) and urged to disclose the family's New Orleans address. Mr. Tureaud said he had turned over this information and the white man's identity to the Federal Bureau of Investigation.

The four 6-year-old Negro girls were transferred to schools here a week ago in compliance with a Federal Court desegregation ruling.

No classes are being held this week because of teachers' meetings and Thanksgiving. This has brought an uneasy calm to

the city.

The week-end brought no repetition of a series of racial clashes touched off by anti-integration demonstrations. However, business men and civic leaders showed concern over the possible damage to the city's reputation that might have resulted from the violence of last Wednesday.

Some restaurant operators in the French Quarter, a favorite tourist haunt, and department store executives said business was off. However, they pointed out that the decline had begun before the desegregation incidents.

"This won't help at all, of course," they conceded.

Mayor deLesseps S. Morrison was reportedly satisfied with the results of a conference with 100 business and civic leaders, all white. However, it was reported that those attending the meeting had refused to discuss desegregation and wanted only to deal with the problem of disorder.

Clarence A. Laws, field secretary for the N.A.A.C.P., praised the Mayor and the city police for the steps they had taken to keep the peace. However, he noted that no official had as yet told residents that "desegregation is the law and whether we like it or not we are going to have to obey the law."

# Kennedy Begins Staggering Job of Changing Government

The Fla. Times-Union p. 32

WASHINGTON, Nov. 19 (AP)—Now that the Republicans seem to have lost their lease, John F. Kennedy has started the staggering task of putting the White House under Democratic management.

Jacksonville Fla.

The grand opening is Jan. 20 with his inaugural address.

On that date Kennedy, the new president, must take over direction of the executive branch of government with all its departments and agencies and more than two million civilian employes.

Jrn 11-20-60

The mere mechanics of changeover are formidable.

There's the inauguration itself. Kennedy has named Edward H. Foley Jr., a Washington lawyer, chairman of the inaugural committee. A figure of $704,000 has been suggested for the festivities. About $933,000 was spent in 1956, for President Eisenhower's second inauguration.

p. 32

**Practical Problem**

There's the practical problem of where to work on preparations for a new government.

The Kennedy people have set up pre-White House headquarters in an office building near the capitol. In 1952, president - elect Eisenhower's headquarters at the Hotel Commodore in New York City became known as the "shadow White House."

And there's the job of opening under new management—recruiting personnel, preparing an operating budget, getting legislation ready for Congress. At a glance, it includes this:

Personal staff—This could be 100 men and women. Kennedy already has named his special counsel and press secretary, and some others.

The Cabinet—Here are 10 top posts to be filled. The postmaster general is appointed to hold office during the term of the President and one month afterward, unless sooner removed. All the other cabinet members are appointed with indefinite tenure. By custom, they resign when a new president comes in.

Key posts — These include the assistant secretaries of the cabinet departments and other top policy-making jobs that number 100 or so. Among this group are the civilian secretaries of the Army, Navy and Air Force.

**Ike to Submit Budget**

The budget — Eisenhower will submit to Congress by mid-January his budget for running the country in the fiscal year beginning July 1, 1961. Kennedy should submit his own revised budget soon after he takes office.

In 1953 President Truman submitted a budget designed to carry things along pretty much as they had been, and Eisenhower made piecemeal amendments to carry out his own policy ideas.

Legislation—Kennedy has indicated he will send up to Congress soon after he takes office some proposals covering domestic and defense matters.

Ambassadors—An ambassador is a personal representative of the president and customarily resigns when a new president comes in. Quite probably there will be an extensive shakeup in the U.S. diplomatic corps. Most of the posts now are filled by career men protected by the foreign service system, but they can be reassigned.

Presidents come and go, but there is a continuity in U.S. government which Kennedy inherits.

The merit system covers most government employes so there is no problem of a mass turnover.

**Regulatory Agencies**

Members of the independent regulatory agencies — Federal Communications Commission, Civil Aeronautics Board and the like—are appointed by the president to serve definite, staggered terms. There are a few vacancies on some of the commissions, and some terms will expire in the coming year.

At Kennedy's request, Allen W. Dulles, director of the Central Intelligence Agency, and J. Edgar Hoover, FBI chief, will stay at their posts.

Arrangements are being made to ease the transition, including personal talks between outgoing and incoming officials and briefing papers for the new appointees.

Eisenhower has invited Kennedy to meet with him at a date yet undecided to talk about the job at the White House.

Chances are there'll be no change in doorkeepers there. William D. Simmons has been on duty 20 years and served three presidents.

## Kennedy Refuses Comment on New Orleans Situation

PALM BEACH, Fla. — President-elect John F. Kennedy refused here this week to comment on the New Orleans public school integration controversy.

On Monday, he answered a delegation from Louisiana which tried to see him Sunday that he "could not properly" comment on the legal issues involving racial integration in public schools now pending before the federal courts.

A five-member delegation from the Louisiana legislature came here to see President-elect John F. Kennedy Sunday afternoon but got no closer than a top adviser in their efforts to get a clear-cut statement on the attitude of the incoming Administration on racial desegregation of public schools.

The committee met in their Palm Beach hotel for 30 minutes with Clark M. Clifford, Washington lawyer and Kennedy's representative in arranging with the White House for a change of administrations. Senator Kennedy had designated Mr. Clifford to receive from the delegation a joint resolution of the Louisiana Legislature and an executive order signed by Gov. Jimmie H. Davis.

The delegation handed Clifford the resolution and then apparently went back to Louisiana.

The resolution asked for Kennedy's views on the "judicial tyranny" which the Legislature said Federal District Judge J. Skelly Wright has shown in ordering desegregation to proceed in two New Orleans elementary schools.

They also asked for the views of the President-elect on federal legislation to limit the power of the United States Supreme Court to say what constitutional law is in racial segregation cases.

The delegation left almost immediately for Baton Rouge, where the Legislature has been called into special session to fight desegregation of New Orleans public schools.

"We are not happy," a member of the delegation said as he left the hotel.

A spokesman denied that the group left Palm Beach "in a huff," but said they were disappointed because they didn't get to deal with Kennedy personally.

Gallup Poll—

## School Problem In New Orleans Faces Kennedy

By GEORGE GALLUP

Director, American Institute of Public Opinion

PRINCETON, N.J., Nov. 26—One of the many factors which contributed to the Kennedy victory was the slightly greater confidence which the electorate had in his ability than in Nixon's to handle the vexing problem of racial integration in the schools.

With New Orleans schools now in the midst of a desegregation crisis, school integration may very well be one of the first major problems with which President-elect Kennedy will have to contend.

Louisiana officials have already asked Kennedy to state his views on the Federal court ruling in the New Orleans question. The President-elect declined to do so on grounds that it would be "highly inappropriate" for him to express himself on matters pending before a Federal court.

In the final days of the 1960 campaign, Gallup Poll reporters asked persons across the nation which man—Kennedy or Nixon—they believed could handle integration problems better if elected. The replies were as follows:

| | |
|---|---|
| Kennedy could | 35% |
| Nixon could | 24 |
| No difference | 26 |
| No opinion | 15 |

Since the Supreme Court first handed down its ruling on school desegregation in May, 1954, the Gallup Poll has sought to determine the public's views on many aspects of the integration issue.

Surveys have consistently found a majority of the public in favor of the principle of desegregated schools.

Here, for example, is how the public felt about the Supreme Court decision immediately after it was handed down in 1954 and again in 1959 — after five years marked by frequent trouble in the South over implementation of the decision:

| | July, 1954 | July, 1959 |
|---|---|---|
| Approve | 54% | 59% |
| Disapprove | 41 | 35 |
| No Opinion | 5 | 6 |

From the very first however, the public has shown misgivings about the practical working out of integrated schools under conditions that exist in many Southern communities—communities with large Negro populations.

In 1954 and again in 1959, many Northern white parents said they would object to sending their children to a school where a majority of the pupils were colored.

And in the South itself, opposition to even the principle has remained overwhelming. In the July 1959 survey, seven out of ten Southerners expressed their disapproval of the Supreme Court decision.

While approving in principle of the Supreme Court decision, the public has also taken the viewpoint of "gradualism" when it comes to setting a time-table for integrating the schools.

In the spring of 1956, and in early 1957, overwhelming majorities of the public voted for a gradual approach to integrated schools rather than attempting to bring it about in the near future.

14d(1) 1960

NOV.1960 PRESIDENT-ELECT JOHN F. KENNEDY
NOT HIS PLACE TO JUDGE

LOUISIANA
(NEW ORLEANS)

# Not His Place to Judge, Kennedy Tells Louisiana

The Atlanta Constitution
Atlanta, Ga.

(Copyright 1960, The New York Times Co.)

President-elect John F. Kennedy told Louisiana state officials Monday he could not properly comment on legal issues involved in racial integration of public schools now pending before federal courts.

Pres. 11-23-60

This was his answer to demands from a delegation of five Louisiana officials who demanded a clear-cut statement on future federal policy toward court-enforced school integration and, specifically, Kennedy's view of

*President-elect Kennedy to slash White House staff. Page 2.*

an injunction against the Louisiana Legislature to keep it from interfering with an integration program in New Orleans.

The petition was presented late Sunday at Palm Beach, Fla., to Clark M. Clifford, Washington attorney who had been designated by Kennedy to see the Louisiana delegation. Kennedy himself had declined to see them.

In reporting for Kennedy, Clifford told newsmen Monday that he left it would be improper for the next head of the executive branch to comment on anything now pending before the judicial branch of government.

"Sen. Kennedy said he felt the same way about it," Clifford said.

Clifford telephoned the Louisiana delegation Monday morning and communicated the senator's answer to Christian Faser Jr., secretary to Gov. Jimmie H. Davis. Faser received the information without comment, Clifford said.

In New Orleans, meanwhile, a campaign of harassment has developed against the families of four Negro pupils enrolled at two previously white schools.

The militant segregationists behind it have been hampered, however, by their inability to learn where all of the families live. Education officials and the police have sought to keep the information from becoming public.

**2 ADDRESSES KNOWN** 1/18

A. P. Tureaud, a New Orleans lawyer representing the National Association for the Advancement of Colored People, said the addresses of at least two families had been learned despite the secrecy.

Atlanta, Ga.

The father of one pupil was discharged from his job last week as a service station attendant. He has since found work as a construction laborer.

Another family was forced to disconnect its telephone because of threatening calls.

**PUPILS TRANSFERRED**

The four 6-year-old girls were transferred to William Frantz and McDonogh 19 schools here a week ago in compliance with a federal court desegregation ruling.

No classes are being held this week because of two state teachers meetings and Thanksgiving. This has brought an uneasy calm to the city but many persons expressed concern over the reopening of schools next Monday.

The New Orleans School Board asked a three-judge federal district court last Friday to suspend desegregation temporarily while legal questions raised by legislative action were resolved. No ruling was expected before Wednesday.

NOV.1960 JOHN McDONOGH (1850)
LEGACY OF A BACHELOR PHILANTHROPIST
THE NEW ORLEANS SHARE WAS $620,029

14d(1) 1960 LOUISIANA

# Desegregated School Landowner's Legacy

Special to The New York Times.

NEW ORLEANS, Nov. 17 —McDonogh No. 19, one of the first two schools to be desegregated in Louisiana, was built from the legacy of a bachelor philanthropist.

When John McDonogh died in 1850, he left his estate in equal shares to New Orleans and Baltimore, the city of his birth. The New Orleans share was $620,029.

Records are vague, but it is generally believed that thirty-six schools were built from the bequest and named for Mr. McDonogh. Today nineteen are in operation.

At one point during his life, Mr. McDonogh was considered the biggest landowner in the nation.

14d(1) 1960

LOUISIANA

Nov.-Dec. 1960
NEW ORLEANS

# BOY SHOT IN INTE GRATION VIOLENCE

## Harvest Of Hate

Chicago Defender Nov. 26 - Dec. 2, 1960 p. 1

Chicago Defender

POLICEMEN AND spectators view the body of a knife wielding youth after he was shot down by police bullets at the corner of Dauphine and St. Phillip streets in the French Quarter of New Orleans last Saturday. The youth had stabbed a seven year old boy and threatened two other persons before he was felled. (UPI Telephoto)

MOTHERS OF white pupils at McDonogh elementary school boo and jeer as three Negro girls leave school at the end of the first week of integration. White mothers kept their children out of school and the three Negro girls attended school alone Friday. (UPI Telephoto)

# 'Battle Of Orleans Worse Than Little Rock'

BY ADOLPH J. SLAUGHTER

**On a black Monday in September three years and two months ago William Theis wrote in a copyrighted story: "I saw the mob lash out like a frustrated dangerous animal Monday outside Little Rock Central high school.**

"It had been cheated of its victims — eight Negro teenagers who slipped into the big brick building . . ."

On an equally dismal Monday of this week just nine days before Thanksgiving, four six-year-olds in New Orleans entered an all-white school and Wednesday, John Warner of United Press International wrote: "A mob of 5,000 persons, mostly teenagers . . . ran wild in downtown New Orleans. Police turned fire hoses on them and charged into them with motorcycles."

**GAY CITY**

**In this gay city of color where many claim miscegenation is the rule, rather than the exception, hysterical segregationist whites have provided an unenviable comparison for the world to make: Which is the worst? The battle of Little Rock or the battle of New Orleans?**

**Street corners and barbershops and wherever people meet in Chicago are alive with talk about this unbelievable and unforgettable tragic chapter in the saga of the Negro to acquire for his posterity something so fundamental and elemental as an equal opportunity for a decent education.**

**However, noted immediately by lamppost philosophers is the fact that New Orleans police are a different breed than those who inhabit the land of Faubus.**

**These same philosophers with singing pride, talk quietly of the "passive civil disobedience" urged by the segregationists and of the equally "passive retaliatory action" taken by New Orleans Negroes who roamed the streets taking pot shots at white passersby.**

**Why, many know-it-alls, are asking, is all this fuss being made over integration of New Orleans schools when the populace has calmly accepted integrated boudoirs for decades — even before the Civil War?**

**Even as Louisiana U. S. Sen. Russell Long was telling guitar-playing Gov. Jimmy Davis to abandon public education in favor of private schools, Negroes in the North and South were "feeling their oats."**

**The comment of one bedraggled wino who was standing in a tavern Thursday looking at pictures of white school children holding misspelled signs, and of streams of water shattering the faces of whites who had "gone berserk" was significant.**

**He kept staring at the pictures, mumbling: "We ain't running no mo', we ain't running no mo'!"**

## Course of the Legislature

Apparently the legislative leadership and the administration are cogitating over whether there should be another special session immediately following this.

We don't think it will be practicable for the legislators to continue meeting indefinitely and hope the decision on what to do will be based on a clear appraisal of the people's best interest rather than on some arbitrary propositions about "not giving up," or "giving up," or "betraying the people."

If most members see that there is anything constructive or significant to be done, they will want to stay in session.

Conversely, there might be some distinct advantages of deferring another session for the time being, and for adjourning the current session right now without passing any further legislation.

The case for adjournment now could read something like this: Token desegregation in New Orleans (two schools) has been carried out. Nothing can be done immediately to repair the damage done by the integration and depopulation of the two schools. No further desegregation is anticipated until the next school session. Decisions of the three-judge federal court have stymied any legal actions of the Legislature with respect to its main purpose—the prevention of token integration and its spread here and to other parts of the state later on. The field of action left open to the Legislature is that concerned with cushioning the shock and explosive effects of integration, and of adopting and financing plans to implement the rights of parents to send their children to schools of their own choice—that is, to private or cooperative schools where these are chosen. The pupil aid bill is one of such measures. But is it wise to let this important relief or cushioning legislation be enacted by or connected with the current legislative session? Indications are that the federal courts regard the current session as tainted. In their view, it was called for an unconstitutional purpose, and that purpose was carried out through the act of interposition to which nearly all other legislation was tied. Any measures passed now might come under suspicion.

If all this is correct, then it seems to us, that wisdom dictates that the new legislation should be completely disconnected wtih the current session and passed at a later meeting—one under a different kind of call; perhaps, after any appeals from the three-judge court are acted upon.

A sound pupil aid act would be sensible as well as desirable, saving many parents a great deal of grief. In principle, the plan has been used in one form or another by both the states and the federal government for years — lunches, textbooks, certain bus transportation, financial help for needy students. But the revised plan for this state should be drawn carefully and deliberately (the one on the books is invalid), and along with it the financing should have equally deliberate consideration. The money question should present no insurmountable difficulty since pupil aid in a private or cooperative school will result in the withdrawal of that much demand upon the public schools.

The current pupil aid revision is being rushed through. That doesn't mean that it can't be withdrawn, suspended, or vetoed by the governor; or that this and all connected legislation cannot be deferred for passage under different circumstances somewhat later, if that is the best judgment of legislative leaders.

It appears to us that the administration and the Legislature must make plans for their future course. We hope the decision will be made calmly, wisely and firmly with the long pull in mind.

# BOARD MAY GET PLEA TO RESIGN

## Lawmakers to Call on School Men, Is Report

Legislative sources Tuesday revealed a proposed meeting this week between the city's delegation and members of the Orleans parish school board.

**Stated purpose would be to discuss the over-all financial situation" of the schools brought on by efforts of the state to block federally-ordered integration of public schools.**

**But legislative sources said the delegation—which apparently does not include New Orleans' state senators—plans to ask the board members to resign.**

Senate members contacted Tuesday said they knew nothing about such plans.

In Napoleonville, state Rep. Risley C. Triche, Gov. Jimmie H. Davis' floor leader in the House, said:

"I think it is entirely in order for the Orleans delegation to call on them (the school board members) to ask them to get out of the way."

**TRICHE SEES 'HINDERING'**

Commenting in response to a report that the administration and the New Orleans delegation are trying to put pressure on the board to resign, Triche said:

**"The reports show the Orleans delegation is in accord with the Legislature as a whole that the holdover members of the board are hindering our efforts to operate the New Orleans schools."**

**He said it has "become a matter of dollars and cents now."**

By "holdover members" Triche apparently meant the four members of the five-man school board who have begun a pupil placement plan to implement a federal court order to desegregate public schools.

**WOMEN TOSS EGGS, INSULTS**

Meanwhile Negro children returned to Frantz Elementary and McDonogh No. 19 Elementary schools Tuesday. Both were all-white schools before desegregation.

**The segregation boycott of Frantz school grew steadily weaker Tuesday, while women reacting to the mixing threw eggs and insults in anger.**

**Police barricaded a one-block area around the school and questioned a number of persons to find the vandals who damaged a white minister's empty home near the school.**

The Rev. Lloyd A. Foreman has refused to take his small daughter out of kindergarten class at Frantz, thus angering the boycotters.

**GIRLS' RECORD MARRED**

On Tuesday, his child was one of 23 white children who attended the school where one Negro girl, a 6-year-old first grade pupil, also attends.

**At McDonogh No. 19 the white boycott has been 100 per cent effective. Three Negro first grade girls go there. On Tuesday, their perfect attendance record since the school was desegregated on Nov. 14 was marred. One of the girls returned home at 10:25 a. m. on account of illness.**

The number who attended Frantz was the largest since the token integration began. And, according to Police Supt. Joseph I. Giarrusso, it was the quietest, because of the widened barrier.

**CANADIAN IN ARGUMENT**

Nearest occurrence approaching an "incident" was the ordering of a visitor from Canada to move on after she exchanged words with a group of women pickets.

**Miss Kerstin Birgitta Steene, associate English professor at the University of Alberta, Calgary, Canada, got into an argument with the women after showing up in their midst with a cemera as a "spectator." Someone threw a hard boiled egg at her.**

In federal court Tuesday, the school board asked for a temporary injunction restraining four New Orleans banks from refusing to honor checks drawn by the board on their accounts.

The board also sought to restrain the city of New Orleans from failing to pay to the board daily all taxes levied by the board and collected by the city.

**APPEAL TO HIGH COURT**

Federal Judge J. Skelly Wright said Monday hes lacked jurisdiction on a similar action filed by Samuel I. Rosenberg, school board attorney, but the attorney adjusted the suit to conform with Judge Wright's recommendiation.

The school board complaint said it has some $728,000 on deposit in the four banks but can't get checks honored there because the Legislature has told the banks the board on longer exists.

**The school board Tuesday also filed notice of appeal to the supreme court from the judgment of a three-judge federal court refusing to delay the existing desegregation order.**

**The board sought to continue operating the schools on a segregated basis until differences are settled between the state and federal governments.**

In his statement Tuesday, Triche said that existence of the board made difficult the borrowing of money to finance operations of the schools.

**'CAN'T RECOGNIZE BOARD**

He said it would "aid us a lot if they would be more co-operative, and step out." Triche said, "We are not in a position (meaning the administration) to ask them to resign since we do not recognize the existence of the board."

**He said, "It is no longer recognized by us as a legally constituted board. We cannot recognize it under any circumstances."**

**Board members had rejected a prior request that they resign. It had been advanced to them by Triche last week.**

School board president Lloyd J. Rittiner left on a business trip to Mississippi. But before leaving the city he said he had not been asked to meet with House members from New Orleans.

He also denied rumors that white children had been transferred from other elementary schools to the Frantz school in an effort to break the boycott there.

The Legislature has been blocked in every effort thus far at stopping segregation. It now is trying to appoint a new five-man school board to handle finances while the Legislature itself controls school policies.

Federal judges Monday restrained the appointment of a new board, even though the Legislature does not recognize the existing one and has sewed up school finances.

**Legislative sources said that resignation of present board members would be asked on the supposition that the board has no finances to run the schools and that the schools**

The school board's complaint in federal court asks a three-judge court to restrain enforcement and declare unconstitutional three legislative resolutions under which banks refuse to honor school board checks and the legislative acts which create a new school board with nothing but fiscal powers.

**32,840 IN CLASSES**

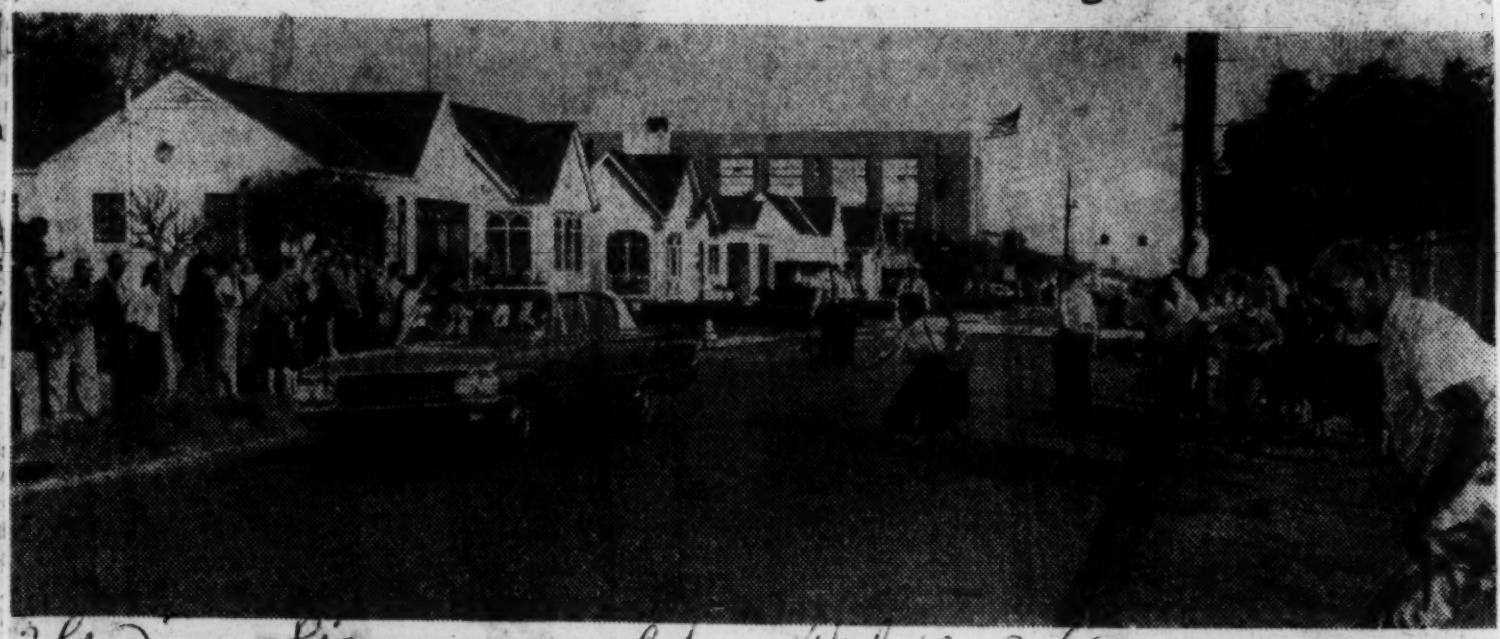
The banks in question are the Whitney National, Hibernia National, National American and National Bank of Commerce.

**Attendance in the city's white schools was normal on Tuesday. Of 36,726 enrolled in them, 32,840 were in classes.**

About 400 children from the two desegregated schools are expected to attend a private segregated school in St. Bernard parish opening Wednesday.

The school, to be named Arabi Elementary Annex, will accommodate first, second and third grade pupils.

# Demonstrators Kept Block Away from Integrated School



**A SMALL GATHERING of spectators and demonstrators was kept a block away from the integrated William Frantz school Tuesday. An unidentified woman tosses something at a passing car in one of the few incidents that arose Tuesday. The unidentified man in right foreground also made a gesture toward the auto.** —Photo by The Times-Picayune.

## OTHER STORIES AT A GLANCE

**Police put on 24-hour guard to prevent vandalism at home of the Rev. Lloyd A. Foreman, Sec. 2, Page 2.**

**Orleans school board asks federal court to restrain New Orleans banks from refusing to honor checks drawn on board accounts, Sec. 1, Page 8.**

**Pupils in first three grades of integrated schools expected to start classes at private school in St. Bernard parish Wednesday, Sec. 2, Page 2.**

## Gremillion Will Meet Press Today

BATON ROUGE, La. (AP)—Atty. Gen. Jack Gremillion of Louisiana at 10 a. m. Wednesday will hold a news conference in his office here.

There was no indication what the subject of the conference would be, but Gremillion earlier said he planned soon to reveal the state's next step in the New Orleans school integration case.

Gremillion said earlier he planned to appeal to the U.S. supreme court, or to make some other move to defend the state.

Three separate cases actually are involved, and scores of state officials and members of the Legislature are under injunction to stay out of the integration fight.

14d(1) 1960

NOV. DEC.

LOUISIANA

NEW ORLEANS

# No Mob Thinks For Me—La. Mom

Chicago Defender

Chicago, Ill.

12-10-16-60

By CARLTON WILSON

NEW ORLEANS — (UPI)—Mr. Daisy Gabrielle says she knows why there are so few "world savers."

"People like these mobs will crucify you and cut you to pieces," she said. Mrs. Gabrielle, a dark, stocky woman, had just returned from taking her daughter, Yolanda, to school.

She was referring to "the cheerleaders," a group of about 40 women bent on driving Yolanda and the only other white girl attending Frantz school away. They don't want them going to school with Ruby, a little Negro girl, who started classes in the formerly all-white school eight days ago.

Mrs. Gabrielle, 43, was shoved and punched by "the cheerleaders." She got a police guard to take her and Yolanda to school Wednesday, but she still isn't too happy about it.

"I don't think the women are going to hurt anyone's child, but I think they would break both of my legs without thinking twice.

"You have to have a tough hide to take it," she said, relaxing on a battered couch in the living room of her apartment. Her husband, James, 39, is a meter reader for the city water department. They have five other children.

"If you don't have a strong mind, you will chicken out," she said.

"I was a WAC in New Guinea during World War II and met my husband there. He says he spent three years in a fox hole and we are not going to be told by a mob of women what to do and think.

"They want me to take Yolanda out of school so they (the school board) will close it," she said, running a hand through her long black hair. "But what these women don't realize is that it would be a catastrophe if all the schools are closed.

"There are not enough private schools to take care of the students. Without school, there would be nothing for children to do but make lots of trouble. These children are losing their sense of respect for adults."

Mrs. Gabrielle said she knows several women who plan to start their children back to Frantz if it stays open. "But the mob is out to scare those women."

"The policemen who took me and Yolanda to school were very courteous, but I think they are disgusted with the whole mess."

# Map Plans To Buck La. Boycott

Chicago Defender

Chicago, Ill.

12-10-16-60

NEW ORLEANS — (UPI) — A parents' organization has lain plans to try to break a white boycott that has given three Negro girls an elementary school all their own.

For the last six days of integration at McDonough 19 school not one of the 467 white students enrolled has come to class. Only three 6-year-old Negro girls—Leona, Tessie and Gail—have come to class.

A parents organization called save our schools (SOS) donated drivers and cars to take children to the city's two integrated schools past a blockade of angry women called "the cheerleaders."

With the help SOS drivers, attendance at William Frantz school, which Negro first-grader Ruby Nell Bridges attends, rose from two — Ruby and a minister's daughter—at midweek to a high of 11 at week's end.

Mrs. Mary Sand, president of SOS said her organization decided to step in when she saw Mrs. Daisy Gabrielle roughed up by "the cheerleaders" when she went to pick up her daughter Yolanda after school Wednesday.

"It was shameful," Mrs. Sand said. On that day, only Mrs. Gabrielle and the Rev. Andrew Foreman sent their daughters to school with Ruby. Both walked through the angry women, who cursed, shoved and punched at them.

**MOB ANGRY**

The mob of women seemed somewhat dishearted by Friday's turnout of white students, the largest since Nov. 17, four days after integration began.

Mrs. Sand says she thinks a few more white parents will be ready to send their children back to Frantz this week, but she isn't so optimistic about McDonough 19.

"The key at Frantz was Rev. Foreman and Mrs. Gabrielle, but at McDonough we haven't found one courageous keystone, one person who kept his child in all along.

"That's going to make it much harder."

Mrs. Sand says she is offering help only to parents who call her, or parents to whom she as been referred by those already sending their children back to school.

The Louisiana Senate meanwhile passed a bill creating a new school board for New Orleans. The new board is to replace the city's duly elected board, which the legislature claims it fired. Federal judges issued a restraining order against the board's first dismissal, and school board sources indicated the same would happen to block this latest action.

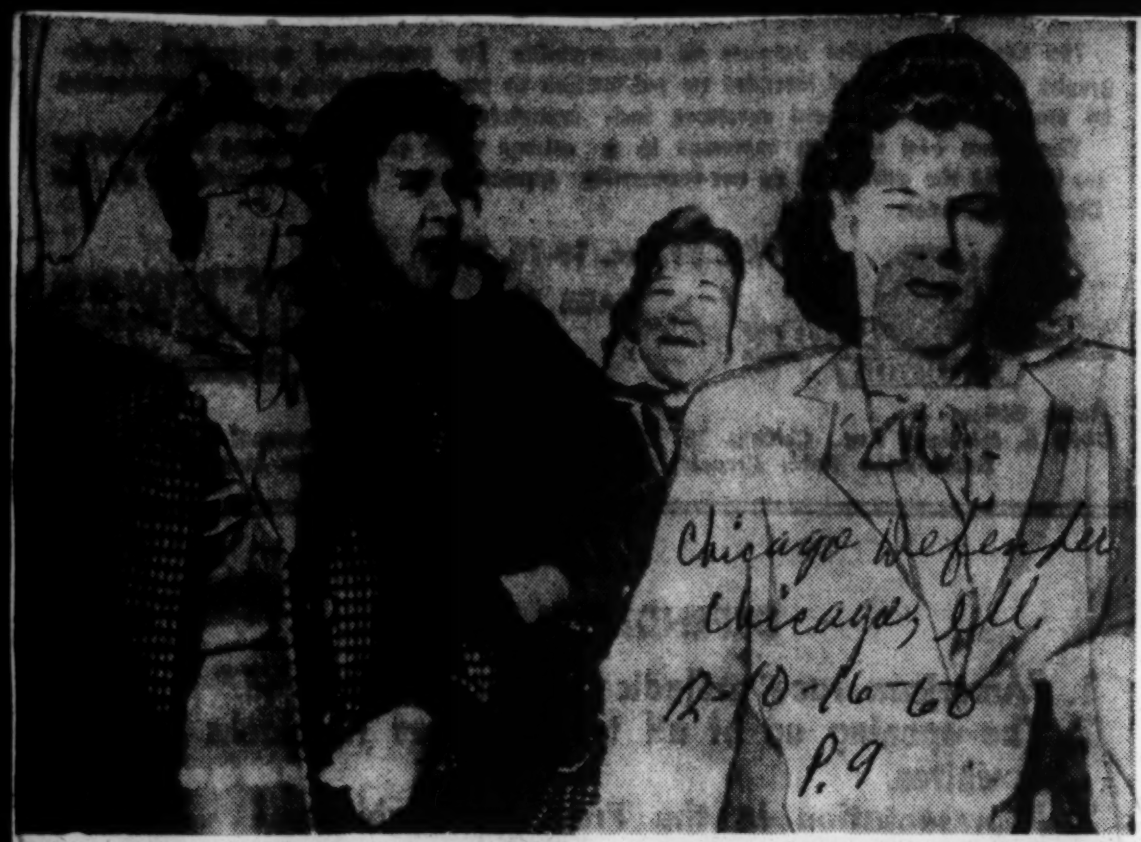
**POLICEMAN** listens as a Frantz elementary school mother pleads her case after jeering mothers were told to move away from the home of Rev. Foreman. As the angry mothers staged their scene in front of the Foreman home, a three-man court refused any delay in the integration of the Orleans Parish schools, UPI Telephoto

Chicago Defender

Chicago Ill.

12-10-16-60

**MOTHERS OF** Frantz elementary school students stand on sidewalk in front of the home of Rev. Andrew Foreman, jeering and hurling insults after Rev. Foreman had taken his daughter, Pamela Lynn, to the integrated classrooms at Frantz. UPI Telephoto


Chicago Defender
Chicago, Ill.
10-16-60
P. 9

**ONE OF TWO white parents who have kept their children in New Orleans' integrated William Frantz school, Mrs. James Gabrielle (right) is jeered at and insulted by white parents who have refused to send their children to the previously all-white school. Mrs. Gabrielle is walking to the school to escort her child home as school day ended.—UPI Telephoto**

# Great American Tragedy In New Orleans

## Lonely Days At La. Integrated School

The Defender
Chicago, Ill.

By WILLIAM COOK

NEW ORLEANS — (UPI) — She sits between two husky grown-ups in the back seat of the sedan. Each man wears a yellow armband, the mark of a U.S. Deputy Marshal. The sedan roars past a police blockade and squeals to a halt.

Women and children boo and scream from street corners. One of the big men quickly takes the girls' hand and whisks her out of the car and up the stairs into William Frantz School, where she will sit alone until the marshals take her home.

The girl is six-year-old Ruby Nell Bridges, one of four Negroes attending formerly all-white schools in New Orleans. The other three go to McDonough 19.

**ALL IS QUIET**

Of the 500 students registered at Franz, only four or five attend now. None in Ruby's class. The halls, once alive with children's chatter, are quiet except for the muffled conversation of the marshals.

"I like the man in the grey suit best," said Ruby in an interview at her home. "He talks to me. He asks me how do I like school and do I wanna go outside and play."

But the jeering crowds that remain all day outside the schools have caused outdoor recesses to be cancelled. Ruby didn't seem to understand questions about the demonstrators. She just cocked her pigtailed head and grinned.

Ruby seemed confused when her parents and a reporter talked of integration, white boycotts, street rioting and reprisals. She preferred to talk about school.

**LIKES TEACHER**

"I like my teacher. She's Miss Hennessy. She reads to me and teaches me how to draw pictures."

The wide-eyed little girl produced her red book satchel and proudly took out her first grade reader, "We Look And See."

RUBYE NELL BRIDGES

"Oh, Jane . . . look, Jane, look . . ." was the recitation from the primer. The book and the little scotch-plaid satchel were the newest things in the worn $50-a-month five-room apartment. The furniture was in need of repair. Ruby is the oldest of five children.

Ruby's father, Abon, denies a report that he is getting $150 a week from the NAACP for his daughter's part in the integration move.

In fact, Abon has lost his job at a filling station because of Ruby.

His boss says he fired Abon after his white customers threatened a boycott.

"Friends have given us a couple bags of groceries," said Abon. "I can't understand all this fuss about integration. In the Army we ate together, slept together . . ." Abon holds a medal he won, he said, for "totin' a wounded white man out" in Korea.

Ruby's mother said her family scolded her for allowing Ruby to go to the school. Mrs. Bridges' grandfather in Mississippi grumbled that Ruby's mother "wasn't raised that way."

"My Momma wrote me a letter fussing about it, but I told her it's something that's gotta be," said Mrs. Bridges.

**"AIN'T EQUAL"**

"Ruby's real smart already. She went to a Negro kindergarten last year and had lots of friends. We're going to see she gets all the education she can.

"We couldn't get ours," said Mrs. Bridges. "Colored schools may be separate, but they ain't necessarily equal."

The guard of U.S. marshals around the house in the Frantz neighborhood was dropped last week while the school system took a week-long breather for Thanksgiving. Negro police took over the vigil.

But Monday, the marshals will return for Ruby. And Ruby will have learned her lessons well.

## Staying In School Costs Girl Her Pals

The Defender
Chicago, Ill.

Rev. Andy Foreman's daughter, Lynn, has lost her classmates at William Frantz school.

The little blonde five-year-old sits alone in her kindergarten class. In another room, somewhere in the building, another little girl, six-year-old Ruby Nell Bridges, Negro, also sits alone with a teacher.

Lynn and Ruby don't know each other. Lynn has only seen Ruby once, in the company of the U.S. Marshals who whiskher in and out of school as crowds of housewives jeer and boo around the newly-integrated school.

"We've been watching Lynn carefully since this started," says her father, the minister at nearby St. Marks Methodist Church.

"There's been no indication she has been emotionally upset.

"She seems to appreciate the attention she's getting. It's like having a private tutor. She's just interested in what she's learning," he said.

Apparently Lynn doesn't realize that many of the boos and insults from the crowds are directed at her. Segregationist feel the four or five white children still attending the school with Ruby are traitors to the segregationist cause.

But her father understands. Father and daughter walk hand-in-hand to and from school along sidewalks lined with jeering women. Occasionally a man in the crowd will shake his fist at the couple.

"These people don't express the feeling of New Orleans," he said. "This is a cosmopolitan city,' he said. "I have every hope things will settle back to normal."

The 34-year-old minister said attendance at his church was about normal last Sunday, after the first week of integration—in fact, it showed an increase over the previous Sunday.

But he continues to get crank calls at odd hours, mostly anoymous.

"One woman gave me her name. She seemed sincere and wanted to reason with me, to convince me to withdraw Lynn from school. Two others, though, impersonated members of St. Marks but I knew their voices were not from my congregation."

Rev. Foreman said he has received encouragement from other ministers and from laymen and students in Louisiana and elsewhere.

"It's most heartening to find a lot of other people facing realistically what is a tough situation."

# New Orleans Feels Effect—Downtown

## School Boycott Weakens

By Bicknell Eubanks

*Staff Correspondent of The Christian Science Monitor*

New Orleans

They are taking stock here now—trying to set a course for the future of this city's schools and to ascertain the effects on other activities by the furore over efforts to keep the public schools operating under token integration.

There seems to be gradual acceptance of something that few persons have wanted—the desegregation of the school system and abolishment of the separation of races in all the schools eventually.

Currently, only two schools are directly involved, both of them elementary, since the desegregation plan calls for beginning with the first grades. Pupil placement methods, based on elaborate tests which did not involve race as such, happened to put the major share of the problem for the time being on McDonogh No. 19 and William Frantz elementary schools.

These schools are in areas where there is a heavy industrial population, whites living in close proximity to Negro families.

The white mothers have rebelled against having their children sit in the same classrooms with Negro children. Their demonstrations at the schools, as well as demonstrations by mothers and teen-agers in downtown areas at the beginning of integration, have been reported all across the United States, and businessmen are beginning to report some indications of adverse effects.

### Leaders Concerned

Local business has slowed considerably, and many businessmen blame it on the reluctance of local residents to come downtown for purchases and shopping.

While there has been some easing of this slowing down on the part of local shoppers, business and commercial leaders are now beginning to get concerned about the effects of the city's troubles on two of its major industries, tourism and shipping. Winter is a major season for tourists, especially during the period when Mardis Gras festivities get into full swing.

One tourists expert reports there is some concern—still of a minor nature, however—that unless the tenseness aroused by the school demonstrations subsides, local officials might have to consider canceling Mardis Gras in 1961.

"I don't expect it actually will happen," he said, "but some folks point out that the masking and costume-wearing of the Mardis Gras period might encourage trouble."

A shipping expert said it was still too early for his business to feel any adverse effects, but he added that after a couple of months, the city might begin to note a slacking off in his line.

The city's school authorities feel sure there will be an accelerating return of white pupils to the two affected schools. The first 100 per cent boycott by white pupils has shown definite signs of cracking.

### Court Acts Firmly

Monday, the boycott weakened slightly as an estimated 15 to 17 white students attended classes.

The firm action by the federal courts in canceling out efforts by the Louisiana Legislature to stall off desegregation appear to be influencing parents of white children.

New Orleans, however, can expect little relief soon from the bitterness which has marked its efforts to end the pattern of racial segregation that has existed in the Crescent City for many years. The city's public school system has 52,000 whites and 38,000 Negro pupils, almost all of whom attend segregated schools.

Gov. James H. Davis and the Louisiana Legislature have paid little attention, at least publicly, to federal court decisions which appear to stand in the way of additional state action to halt the integration process. The federal courts have struck down 27 state legislative measures aimed at segregation.

However, Governor Davis and the Legislature have renewed efforts to preserve segregation by authorizing state grants to children to attend private schools.

Meanwhile, parochial schools of the Roman Catholic Church, with 38,000 white and 9,000 Negro pupils, plan to follow soon with a similar stair-step plan of integration. The exact date for beginning has not been announced, however.

About 475 students of the two public elementary schools are being transported by private groups into neighboring St. Bernard Parish (county) schools during the emergency.

# DAVIS SPECTATOR AT COURT HEARING

## Louisiana Governor Listens to Integration Arguments Over New Orleans

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 16—Gov. Jimmie H. Davis made a surprise appearance in Federal Court this morning at a school integration hearing.

He was there merely as a spectator, Attorney General Jack P. F. Gremillion said, but received permission by the three-judge court to sit at the state counsel table.

Governor Davis declined any comment to reporters and took no part in the proceedings. He resisted for months an attempt by Federal courts to serve him with subpoenas. Several discarded subpoenas are still preserved under acetate covers on the floor of his outer office in the Capitol at Baton Rouge.

Today's court action was a hearing on two motions. One, by the elected New Orleans school board, was an attempt to force four New Orleans banks to free school funds. The school accounts were sequestered last month by the legislature. The banks, caught between state and Federal orders, have obeyed those of the state.

The other hearing was on an injunction sought by the National Association for the Advancement of colored people to prevent state interference with the local school board, which the legislature has "addressed" out of office.

A new element was added at the opening of court when Mr. Gremillion petitioned the court to recognize him as the legal representative of the school board. He cited the law just passed by a special session of the legislature and signed yesterday. It withdrew the right of the local board to appoint its own lawyer and named Mr. Gremillion as attorney.

A letter of dismissed was handed to Samuel I. Rosenberg, the board's attorney, when he entered court.

The state action was immediately challenged by M. Hepburn Many, United States Attorney for this district.

After a two and half hour hearing the court headed by Judge Richard T. Rives of Montgomery, Ala., took all pleas under advisement. A decision is expected next week.

In the meantime, Judge Rives said, the court will continue to recognize Mr. Rosenberg as the school board's attorney.

Eight white children showed up again this morning at William Frantz School to attend classes with the one Negro girl there. They included two who had not heretofore attended classes. Two of the regulars were missing.

One of these absentees was the daughter of the James R. Gabrielles, one of the first two to attend the integrated school on Nov. 14. The Gabrielles left town quietly yesterday to return to Providence, R. I., Mr. Gabrielles' former home. They said the continued harassment they suffered from segregationists had forced them to that decision.

# U. S. WITHDRAWS LOUISIANA CURB

## State's Revision of Child Aid Law Means Funds Will Continue, Hearing Told

By BESS FURMAN

Special to The New York Times.

WASHINGTON, Dec. 15—A spokesman said today the Department of Health, Education and Welfare was no longer urging a cut-off of Federal funds to Louisiana for aiding children.

Edwin H. Yourman, Federal Attorney, explained that Louisiana had changed its "suitable home" law.

Mr. Yourman appeared at a hearing before William L. Mitchell, Social Security Administration, on Louisiana's final arguments for having cut 23,000 children off the relief roll last summer under a new law.

The state's "suitable home" law had required cutting Federal-state aid for children whose mothers had had an illegitimate child after receiving their first relief checks.

Mr. Mitchell still must rule on case. He promised to do so promptly.

When hearings opened a month ago, the Government held that Louisiana's action in having dropped the children "required withholding of further Federal grants." Louisiana receives more than $21,850,000 a year for aid to dependent children.

### Negotiations Conducted

The state later said that many regulations to which the Government had objected in the enforcement of the law had been changed. State-Federal negotiations have continued since.

"A great number of changes have been made which improve the situation," Mr. Yourman said. In view of further changes the state says it intends to make, he added, defections will have been corrected.

Isaac Abramson of Shreveport, La., testifying for the state, said mothers no longer had to prove they had not been involved in illicit relations. Instead, he added, the state must prove that a home is not suitable for the child in question.

He assured Mr. Mitchell that Louisiana would take care of all needy children, though not necessarily through the Federal aid program.

Mr. Abramson argued that since at least six states had "suitable home" laws similar to Louisiana, and twenty-three had some legislation on the subject, all should be reviewed by the Government before any ruling, based on such a law, was made.

# Louisiana Passes 4 Bias Bills

## Two Similar To Ones Thrown Out By U.S.

By JOHN G. WARNER

NEW ORLEANS—(UPI)—Another clash between the federal government and the dogged Louisiana Legislature loomed Thursday when the lawmakers passed four new bills aimed at ending integration in New Orleans.

Two of the four bills are practically identical to ones already thrown out by a Federal Distirct Court.

All will doubtless be taken into Federal Court before the weekend, and it was likely the Justice Department would handle the legal fight instead of the New Orleans School Board.

The school board, which one of the measures tries to unseat, has filed most of the voluminous legal action in the five-week old struggle, but the U. S. attorney handled the last one.

**DROPPED BY ONE**

Attendance in the city' two integrated schools dropped by one student Thursday when an 11-year-old boy fell ill with a cold. It brought attendance at William Frantz School down to seven whites and the lone Negro girl going to a first grade class there The three Negro girls enrolled at McDonough 19 school continued to be the only students in the building.

Foul weather kept bystanders away, and police, for the first time in a week, relaxed their barricades around William Frantz School.

The New Orleans Citizens Council holds a rally Thursday night in the municipal auditorium.

The last time the council held a rally—on the third day of integration—the speakers urged an overflow crowd to use "civil disobedience."

**SMALLER CROWD EXPECTED**

The next day, thousands of persons, mostly women and teenagers, ran screaming through the streets and tried to storm the school board offices. Police drove them back with fire hoses and they turned to stoning passing Negroes. The violence continued sporadically through the week.

The crowd is expected to be smaller Thursday night, however, due to foul weather.

One of the bills passed by the legislature sets up a state-appointed school board to replace the present elected New Orleans school board. It is similar to a handful of such bills thrown out in fedeal court.

Another bill, also similar to previous laws declared unconstitutional, sets up provision for selling abandoned school property.

**ONE DOG'S OPINION** — No one bothered to chunk rocks at this black dog in New Orleans. He happens to be a doberman-pinscher and believes in biting back. Police in the area had no trouble keeping groups of white toughs on the move near troubled schools.—Wide World

The Pittsburgh Courier

## Racists Rock 'Integrated' Pooch

Pittsburgh, Pa.

# Black-White Dog in N.O. Finds Color Against Him

Sat. 12-10-60 p. 2

NEW ORLEANS, La.—Some of the events attendent to the current school crisis would be downright ludicrous if the situation wasn't so tragic.

For example, a black and white dog belonging to the Rev. Lloyd Foreman, Methodist clergyman, who escorted his daughter to school, drew the wrath of irate racist women.

One spotted the minister's dog (colored black and white through no fault of his own) trotting innocently with tail wagging across the minister's yard.

● **"Look, he's even got an integrated dog," yelled one of the heated women. The poor dog had to take to his heels as the demonstrators began chucking rocks at him.**

Another mother, holding her tot up to a TV cameraman, yelped, "Tell them you hate niggers, say I hate niggers." The bewildered child tried to pull away.

■

**HIS MOTHER** insisted, "Tell 'em you hate niggers!"

"No!", the child protested, burying his head into his mother's skirt.

Then the group had their people mixed up in terms of religion as they yelled at Sydney Goldfinch, "Jew bastard, nigger lover!" Goldfinch happens to be the son of a Protestant minister. He has been active in local sit-down demonstrations.

One of the ring-leaders involved has her child enrolled in the local Catholic school system. Some of them in Marrero, a community outside of New Orleans.

● **Another woman yelled at Goldfinch, "I hope you have a bunch of mulatto grandchildren."**

A small boy, wearing a sign a la sandwich man, trotted down the street between two husky specimens of American "white" womanhood. The front of the sign read, "My daddy said no." On the back was emblazoned, "Nigger, you'll never sit with me."

**A LOCAL WAG** quipped, "If them ladies were colored, they'd of been clapped in jail a long time ago for disturbing the peace."

About forty women are in the jeer-leading group that's been raising all the sand.

# FBI Probes Threat To Integrator

Chicago Defender
Chicago, Ill.
Dec. 17-23-60

NEW ORLEANS — (UPI) — The FBI has launched an investigation into an alleged threat "to get" a white Methodist minister who permitted his daughter to attend an integrated school.

The Rev. Andrew Foreman has escorted his daughter, Pamela, to Frantz school daily since the school was integrated by one Negro girl.

When the Rev. Mr. Foreman picked up his daughter at the school Wednesday, a glowering man thrust his hand into the car window, poked the minister on the shoulder and snarled "We're going to get you, preacher."

It was the first face-to-face attempt at intimidation by a man thus far in the integration crisis here. Most of the insults and catcalls before had come from the "jeerleaders" — women demonstrators opposed to integration.

The Rev. Mr. Foreman jumped out of the car after the man threatened him and asked police standing around a barricade to stop him, but the stranger disappeared before any attempt was made.

# Set Up Fund Here For White La. Hate Victims

Ten of Chicago's prominent civic leaders have contributed to a fund established this week to aid white and Negro victims of the New Orleans school integration fight.

Monies totaling $420 have so far been pledged and sent to the Fund, to be called the Louisiana Educational Fund, headquartered in the Chicago Defender building at 2400 S. Michigan blvd.

JAMES GABRIELLE

**FIRST RECIPIENT**

One of the first recipients of the fund is scheduled to be James Gabrielle whose six-year-old daughter has attended William Franz elementary school since it was integrated Nov. 14.

Fund founders and contributors so far are:

George S. Harris, vice president Chicago Metropolitan Mutual Assurance company, Earl B. Dickerson, president, Supreme Liberty Life Insurance company, Dempsey J. Travis, president, Travis Realty company, Dr. N. O. Calloway, president, Medical Associates of Chicago;

Willis Thomas, secretary-treasurer, Federated Waiters, Bartenders, Waitresses and Cooks Union, Local 356, AFL-CIO; Building Service Employees International Union, Local 189, AFL-CIO; Marshall Bynum, president, Jackson Funeral System; Atty. J. Harold Moseley, president, South Parkway Finance company; and Dr. Robert L. Kimbrough, of Medical Associates of Chicago.

Travis, a spokesman for the group, said:

**SUPPORT ALLIES**

"We are urging all community businessmen and other citizens who feel strongly about our fight for freedom to make donations to this fund so that we will be able to support our allies in this basic fight for equal rights."

Travis said that all checks should be made payable to the LOUISIANA EDUCATIONAL FUND and mailed to the Chicago Defender, c-o John H. Sengstacke, 2400 S. Michigan ave., Chicago, 16, Ill.

This first money from the Fund, hastily acquired through telephone calls and visits between the persons above has been earmarked for the Gabrielle family because Gabrielle had to quit his job as a New Orleans gas meter reader because of taunts from his fellow workers.

Gabrielle disclosed that his quitting date is Dec. 15 and that he had $150 to see him through until he finds another job.

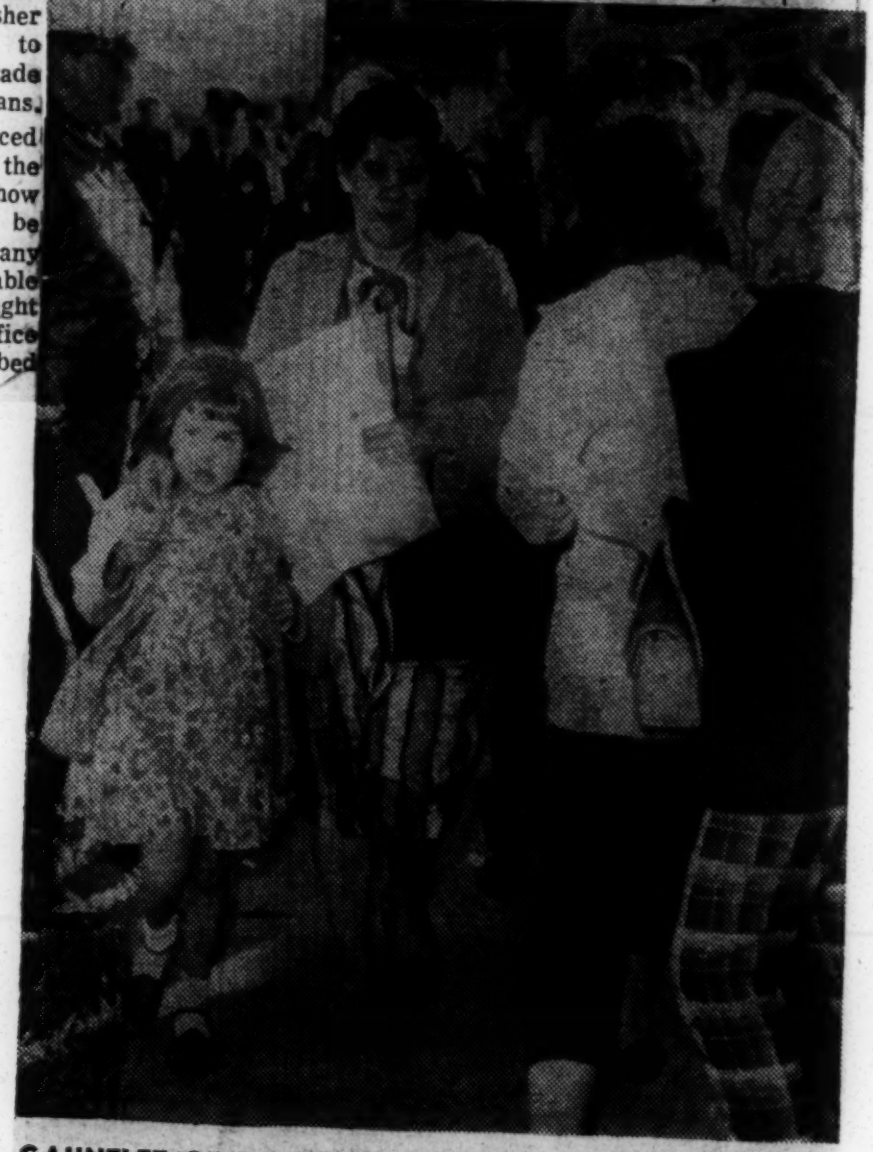
His wife has continued to take their daughter, Yolanda, six, to William Frantz elementary school since it was integrated Nov. 14. Because windows in their home have been broken and his wife and daughter have been harassed continually, Gabrielle stated he may have to leave the city, but "we won't be sneaking out at night," he added.

Sengstacke, publisher of the Chicago Defender, said efforts are currently being made through C. C. DeJoie, publisher of the Louisiana Weekly, to reach Gabrielle and persuade him not to leave New Orleans.

Since the fund was announced many persons have called the Chicago Defender asking how much or how little would be acceptable. Contributions of any denomination are acceptable and should be mailed or brought to the Chicago Defender office in the manner prescribed above.

# Cursing, Race-Baiting Women Bring Shame To City of New Orleans

Story on Page 6



**GAUNTLET OF HATE**—Women hecklers crowd the sidewalk and jeer as Mrs. James Gabrielle, with police escort, walks her daughter home after a day in the integrated William Frantz School in New Orleans. When the women shoved Mrs. Gabrielle, she whacked them with her purse.

# Just Imagine! They Knocked Out 27 Laws In One Stroke

The Afro-American Baltimore, Md. Sat. 12-17-60 p7

## La. Legislature is slapped down

NEW ORLEANS — When a three - judge federal court voided a "package" of segregation laws enacted by the Louisiana Legislature last month, that judgment marked the first time that 27 state laws had ever been declared unConstitutional with one blow.

Louisiana is not the first state to enact legislation in an effort to evade federal court integration decisions. Formerly, however, colored plaintiffs have had to peck away at the laws piecemeal, sometimes one by one, to get them invalidated.

The laws achieved, thereby, what they were meant to achieve in the first place. The legislators thought enacting "interposition" legislation in all its degrees of passionate (as they knew as) sober fact that the laws were doomed to failure. They thought them none the-less a "massive resistance" measure leading to "a thousand years of segregation." This despite to "a thousand years of segregation." This despite also hoped, would give them time to think up some that would really

They felt that the lengthy litigation, brought on by the plaintiffs in an effort to get the laws invalidated, would keep pro - segregationists from pushing the other fronts.

Federal courts have been lenient with southern states in dealing with these laws. The U.S. Department of Justice has stood aside and forced colored plaintiffs to fight these laws — although they were enacted in direct defiance of federal authority and should have been contested by federal action.

* * *

THE THREE - JUDGE Court in New Orleans was composed of: Justice Richard T. Rives, Herbert W. Christenberry and J. Skelly Wright, who presides over the District Court at New Orleans.

Leading the corps of NAACP attorneys were Thurgood Marshall, New York, and A. P. Tureand, Orleans.

For the first time, the judges flatly stated what was obvious — that the interposition laws were enacted merely as a means of perpetuating segregation. These laws, then, achieved no delay whatever.

The first act of the segregation package, enacted by the special legislative session called by Gov. James [illegible] to abolish the oft - discredited doctrine of interposition.

Its avowed purpose was to "maintain racially separate public school facilities."

The other laws were dependent on this one. If it were valid, all were valid; if it failed, all fell.

After reviewing the history of the interposition doctrine, the three judges declared:

"If taken seriously, it (interposition) is illegal defiance of constitutional authority." If not serious, then "it amouunts to no more than a protest, an escape value through which the legislatures blow off steam to relieve their tensions."

This being true, the judges said:

"What is more these acts were not independent attempts by individual legislators to accomplish this end maintaining school segregation). The whole of the legislation. . .forms a single scheme, all parts of which are carefully interrelated. ."

"In view of this, the court might properly void the entire bundle of new laws without detailed examination of its content."

* * *

EXPLAINING THE authorthority by which a federal couurt could do this the judges said:

"The constitutional rights of children not to be discriminated against in school or color. . .can neither be nullified openly and directly by could od this, the judges executive or judicial orders, admission on grounds of race nor nullified indirectly by the state legislature or state them through evasive schemes for segregation — whether attempted 'ingeniously.' "

The court declined to ride roughshod over the individual laws, however, and examined each on its own merits rather than as one of a package.

Thus, it found that five of the new statutes "merely reenact laws already voided by this court." Acts 10, 11, 12, 13 and 14 made minor "stylistic" changes and avoided the use of "segregation," "integration or "separate facilities."

The legislators, in these laws, uused the phrase: "consistent with the constutional laws of this state of state board of education policies, rules or regulations."

The judges said, however, "But this euphemism cannot save this legislation. Indeed, the interposition act itself makes it clear enough that the policy of the state is to maintain segregation in public education despite the mandage of the Supreme Court and the orders of this court."

Also among the 27 laws overruled was "a group of carefully interlocking measures" aimed at disbanding or removing the power of the New Orleans school board — so that it could not carry out the desegregation orders of the federal court.

* * *

ONE OF THE MOST shocking of the new laws was one (Act. 27) which specified that if "demonstrators (against school integration) are needed, they may now be recruited among the students who are no longer compelled to go to school."

This act, scarcely touched on by local news media, gives substance to the claim that the state, itself, was actively promoting and encouraging the type of demonstration that has had the city in an uproar for almost a month.

(Revelaed about the same time was the fact that some of the adult women demonstrators were being paid by pro - segregation agents.)

* * *

OTHER STATE acts provided:

Present school enrollment, on a segregated basis, is "frozen" and no transfers will be allowed (Act 26);

Any school ucnder an order to desegregate is immediately closed (Act. 22);

When the schools close, the school board ceased to exist (Act 21);

These acts can be carried out by force, if necessary, with the state police given additional powers and placed under the command of the state legislature (Act. 16);

To assure that an integrated school does close, it will not be accredited (Act. 20);

Teachers at integrated schools shall lose their certification (Act 23);

Students at integrated schools shall not receive credits for promotion or graduation (Act 24).

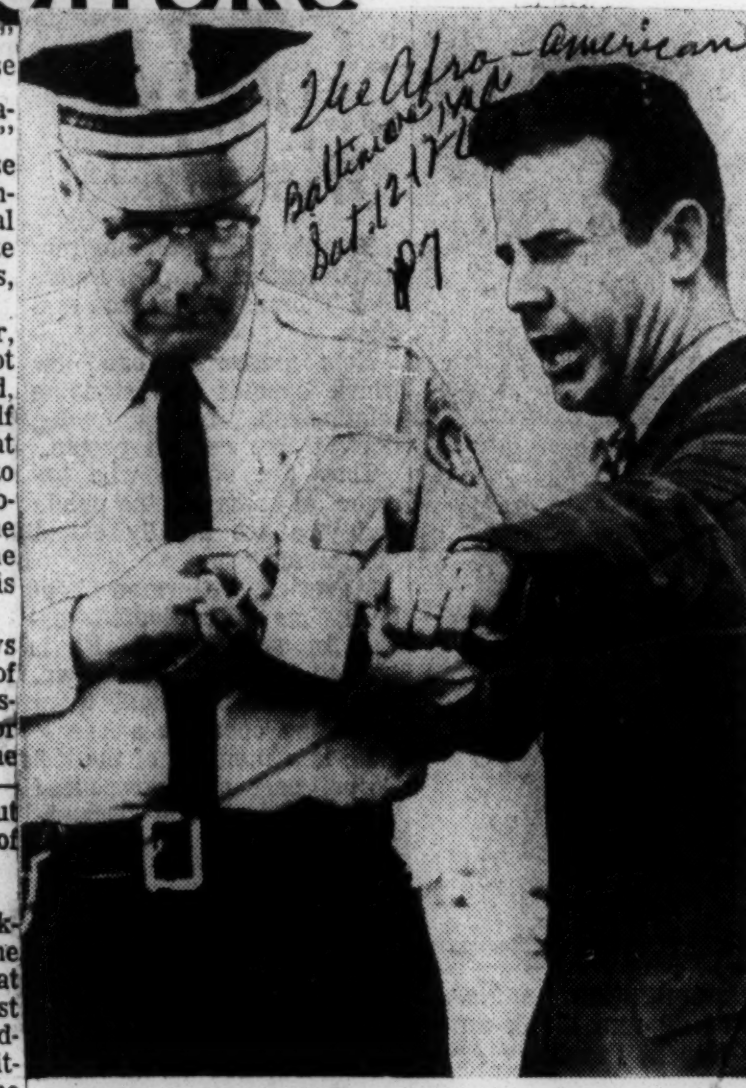
* * *

"NO ONE DARE," said the court, "contest the sole purpose, they are all unConstitutional."

"... Plaintiffs assert that these measures, however innocent on their face, were specifically designed to deprive them of their constitutional rights, and that allegation, which was neither con-

"Since such is their pur-ness" and no concern of "state legislation is tional."

The judges also said, of right of colored children to legislator's contention attend desegregated schools. the laws were



The Afro-American Baltimore, Md. Sat. 12-17-60 p7

**THREATS REVEALED** — The Rev. Andrew Foreman, who has been sending his daughter to Frantz School in New Orleans, tells policeman he was threatened by a man standing among the hecklers at the newly integrated school. Earlier, the FBI had been given a copy of a threatening letter sent to the Rev. Mr. Foreman.

tradicted nor qualified, is supported by the facts."

As to the legislature's acts to completely control the school board, despite federal order, the judges opined:

"...We are admittedly in an area peculiarly reserved for exclusive state action. But, just as clearly, we know that the sole object of the legislation is to deprive colored citizens of a right conferred upon them by the Constitution of the United States.

"The question is whether the protective arm of the Constitution reaches into the 'inner sanctum' where the state conducts what it considers its strictly private business."

Answering this question, they said: "When a state exercises power wholly within the domain of state interest, it is insulated from federal judicial review.

"But such insulation is not carried over when state power is uused as an instrument for circumventing a federally protected right."

* * *

IN SEVERAL sections of the court opinion, it can be seen that the judicial language was a little stronger, a bit more impatient, than has been observed in previous such cases.

At the same time, the judges overruled a petition of the city school board to delay the start of integration because of the disorder.

## Demonstrators got 'go signal' from La. legislature

NEW ORLEANS — One of the 27 anti-integration laws enacted by the State of Louisiana (and voided by a federal court) would have given legal backing to pro-segregation demonstrators.

This abortive act specified: "If demonstrators are needed, they may now be recruited among the students who are no longer compelled to go to school."

It was not revealed what inducements would be offered to "recruited" student demonstrators. However, on the first days of integration, white high school students took advantage of a state-declared "holiday" to hoot and jeer outside the two integrated schools.

# N. O. Integrator To Leave City

NEW ORLEANS (UPI) — John Gabrielle, who was harassed out of his job as a meter reader for the city water department because he wouldn't keep his daughter out of Frantz school, has revealed that he and his family will move from the city.

"I'd never make out here the way things are now," Gabrielle said. His daughter and the daughter of the Rev. Andrew Foreman have led the fight against the housewives' blockade.

Gabrielle said he was going back to his hometown of Providence, R. I., where he has several job offers. He didn't know when he will leave, however.

Police picked up 10 white boys, carrying school books, outside the Gabrielle home Wednesday, loaded them into a paddy wagon and took them to headquarters because they had apparently skipped school to harass the Gabrielles.

Patrolmen kept watch through the night at the homes of Gabrielle and Foreman after they were damaged in reprisals by segregationists.

Police began handing out passes to newmen and persons living in the area inside their blockades, and said no one will be allowed past their barriers without the passes.

**PICKET SHOVED** — He was shoved off the sidewalk just before white youths ripped into pickets and tore up their signs. Police came to the pickets rescue in downtown Tallahassee, Fla., and dispersed the whites before any blows were struck. No arrests were made.

# Our Opinions

Chicago Defender

## The Battle Goes On

Chicago, Ill.

The four Negro tots who were escorted by Federal marshals into the formerly all-white schools in New Orleans are a touching advance guard — the very first to break the race barrier in the Deep South. p. 10

New Orleans itself will sooner or later come around to the view that it is better to accept a little racial integration and keep the schools open than to have the state close them to keep Negroes out. (10-16)-60

The clearest evidence of this is the victory, in the recent election, of a candidate for the school board who took this stand. He won more votes than his three segregationist opponents combined. Three of the other four members of the board have long argued that the city has no choice but to obey the court order.

The denial by a panel of Federal judges of the board's request for a suspension of the District court order to integrate the elementary schools of the city of New Orleans, further weakens the position of the segregationists.

The courts have pronounced unconstitutional the laws passed by the special session of the state legislature which were meant to maintain segregation. Moreover an injunction has been issued against the Legislature's attempt to take over control of the schools, while a charge of contempt of court has been brought against the state superintendent of schools.

The schools remain open, the four Negro children report fearlessly to their respective classrooms braving every day a jeering, angry crowd of feeble-minded racialists acting under the guidance and leadership of the notorious White Citizens Council. It is unfortunate that public opinion in New Orleans was not prepared for a racial crisis in its schools.

In Atlanta, (which need not comply until next year) a far-seeing group of citizens and parents has been at work for years and the Atlanta Constitution has given a strong liberal lead. In New Orleans it was only this summer that parents began to organize to save the schools. They had been led to believe by the Times-Picayune, the city's only morning newspaper, that the schools could be kept open without accepting any racial integration. It is to the credit of WDSU, the civic-minded television station, that it provided leadership when the press failed to do so.

For a time this fall, it seemed as though a group of influential businessmen in Louisiana might persuade the Governor to give in gracefully, keep the schools open and avoid an open clash on the pattern of Little Rock, between the state and the Federal government.

When the parents started to organize, these businessmen plucked up courage to point out to the Governor that the closing of the schools throughout the state to avoid racial integration would involve a heavy economic loss. The education of thousands of children would be interrupted and the migration of new industries into the state might halt.

But Davis, who was elected this year on a promise to maintain segregation, is dependent politically on the extremists in the state legislature. He lacks the skill and fortitude of Earl Long, his predecessor, who managed to secure the support of both Roman Catholics and Baptists, of both New Orleans and the backwoods, largely by a lavish flow of money into welfare, education and roads. It is ominous that Gov. Davis has given racial prejudice its head in a state where it has not played a major role in the past.

Chicago Defender
Baltimore, Md.
Sat. 12-17-60
P. 9.

**LOOKING OVER LETTERS** they've received since school integration began in New Orleans are Mr. and Mrs. James Gabrielle and their 6-year-old daughter, Yolanda. Despite the boycott and demonstrations, Yolanda has gone to school everyday at the newly integrated William Frantz elementary school. Mr. Gabrielle said that he has been forced to quit his job as a meter reader with the city water department because of harassment by his fellow employees.

14d(1) 1960

# Closing of New Orleans Schools Seems Nearer in Funds Tie-Up

The New York Times

## Education Official Fears Local Banks Will Not Release Any Money Unless Supreme Court Acts in the Case

New York

By FOSTER HAILEY

Special to The New York Times.

NEW ORLEANS, Dec. 7—The possibility that the public schools of New Orleans might have to close because of lack of funds appeared greater today.

School funds have been frozen by the Legislature and have been placed in a special account.

Only the Speaker of the State Assembly and the presiding officer of the State Senate are permitted to draw checks on this account. They have been paying only teachers and other employes in schools that have not been integrated.

The forty teachers in the two integrated schools, where four little Negro girls have been attending first-grade classes since Nov. 14, have not been paid. Neither have almost 1,300 other employes of the school district. Their last monthly payday was Oct. 28.

### Plea Is Before Court

The school board has pending before Federal Judge J. Skelly Wright a plea for an order releasing school funds to it. But a school official said today he believed that only a decision by the United States Supreme Court upholding all lower court orders would bring release of the funds.

The motion before Judge Wright is to be heard Dec. 16. The Supreme Court in Washington has before it two appeals for reversal of local district court integration orders. No indication has been given as to when it might act.

The board, meanwhile, is without funds and without any borrowing ability. The four local banks that handle school funds have been reluctant to free any money even under a Federal court order.

The two integrated schools continued to operate, meanwhile, under heavy police guard and for the second day without a major incident.

Only eighteen white pupils showed up today, however, at William Frantz Elementary School to attend classes with the one Negro child. Yesterday there had ben twenty-three. No white pupils have been attending McDonogh 19 School and there were none today. Three Negro girls are enrolled there.

### Appeals to Supreme Court

WASHINGTON, Dec. 7 (AP)—Attorney General Jack Gremillion of Louisiana asked the Supreme Court today to stay the decision of three Federal judges who struck down all Louisiana barriers to school integration.

The petition asserted that the three Federal judges, who acted in New Orleans Nov. 30, lacked jurisdiction to take their action.

### Negroes Aid White Couple

A group of New York City Negroes opened a drive yesterday to send financial aid to Mr. and Mrs. James Gabrielle, the New Orleans white couple who defied segregationist picket lines to send their daughter to the newly integrated William Frantz School.

Mr. Gabrielle reported two days ago that he had resigned his job as a meter inspector for the city because of harassment by fellow employes.

The New York group is headed by Jackie Robinson, former baseball star and now a restaurant chain executive, and Mrs. Arthur Logan, wife of a Manhattan physician.

They are conducting the drive through the Student Emergency Fund, set up here in April to give financial assistance to Negro and white students jailed in sit-in demonstrations in the South.

Mr. Robinson said yesterday that the emergency fund would send $200 to Mr. and Mrs. Gabrielle "as a starter." He urged other New Yorkers to join in the drive by sending contributions to the Student Emergency Fund at his office, 425 Lexington Avenue in Manhattan. He asked that checks or money orders be made out to the Student Emergency Fund rather than to him.

In a statement issued on behalf of the fund, of which they are cochairmen, Mr. Robinson and Mrs. Logan charged that the Gabrielle family had been subjected to "harrassments and insults" because of "their belief in the dignity of the human being and the freedom of the human spirit." The statement said that the group's aim was to let the Gabrielles know that "they do not stand alone."

LOUISIANA

# LOUISIANA PUSHES FIGHT ON SCHOOLS

The N.Y. Times

## Special Legislative Session Resumes, Seeking a Way to Block Integration

New York

By FOSTER HAILEY

Special to The New York Times.

BATON ROUGE, Dec. 11—A special session of the state Legislature reconvened at 7 o'clock tonight, after a week's recess.

Session 12-12-60

Its avowed purpose was to pass another series of laws designed to maintain the state's public schools and especially those in New Orleans, on a segregated basis.

The Sunday session was necessary because state law provides that a legislative session cannot enact laws later than five days before adjournment. This special session's thirty-day term expires Thursday.

The last two special sessions—a twelve day special session convened Nov. 4 just preceding this term—have made little progress because of clashes with the Federal court.

### Most New Laws Voided

All the laws those two sessions passed except one have been promptly declared unconstitutional by the court. The exception was a bill granting aid to private schools set up to circumvent the court's integration order.

The measure never was implemented by an appropriation. The only appropriations made by the two special sessions have been for the legislators' own pay and expenses. That amounted to $168,000 for the first session and $428,000 for the second.

Failure of legislative enactment to gain court approval will not deter the Legislature, it is believed. As one legislator said the other day:

"As fast as they throw out one batch, we'll pass another."

One event that is predicted is a call by Gov. Jimmie H. Davis for another thirty-day special session to convene Friday, immediately after the present session adjourns.

Governor Davis, in a statewide television appearance Friday night, said:

"We will continue our vigorous and legal denial of Federal authority to interfere with the operation of our public schools."

Convening of a new special legislative session Friday would coincide with a Federal District Court hearing in New Orleans. The court will hear a motion to enjoin the Legislature from appointing a new school board in New Orleans and another to hold local banks that are custodians of school tax funds in contempt for refusing to honor checks drawn by the present school authorities.

The court has already held unconstitutional state laws setting up a new board and sequestering school tax monies in a special account. The school board and the National Association for the Advancement of Colored People has asked the court to implement its previous decision.

Several parent and civic groups in New Orleans have urged the state government over the last few days at least to release the school money so that all teachers and other employes of the New Orleans schools, who total almost 5,500 persons, might be paid.

The Legislature has been paying only those teachers and custodial employes in the 116 public schools in the city still segregated. It has withheld the salaries of the forty teachers and fifteen other employes of the two elementary schools that were integrated on Nov. 14. It has also withheld the pay of 1,200 other administrative employes, including the school superintendent, Dr. James H. Redmond.

DEC. 1960

NEW ORLEANS

# Louisiana Solons Study Giving Funds To Schools

The Montgomery Advertiser

Montgomery, Ala.

NEW ORLEANS (AP)—The Louisiana Legislature—reportedly without budging a step from its stand on the New Orleans school segregation may take the wraps off its pocketbook to supply money for the operation of the city's schools.

Thurs. 12-15-60

At least, that was the report in the state capitol at Baton Rouge Wednesday. And there were further indications that the State Department of Education wouldn't block the move to pay the salaries of 1,300 New Orleans school employes.

At the two affected schools in New Orleans, the situation remained much the same as it has been for several days. Eight white children and one Negro girl attended classes at the William Frantz school.

At McDonogh No. 19, only three Negro girls in the first grade went to school with the boycott of white students still in total effect.

There were a few—12, to be exact—women on hand at McDonogh when the Negro girls arrived, but there was no demonstration.

For the second straight day, demonstrators were totally absent from Frantz.

The stumbling block on the money angle is that the legislature does not recognize the New Orleans School Board. The state's lawmakers addressed the board out of office weeks ago and named a committee to take over the board's functions. A court order stopped the committee before it got started.

The legislature released money to pay salaries of personnel at all schools but Frantz and McDonogh No. 19. Teachers, principals and other employes at those schools got their November paychecks through an anonymous donor two weeks ago.

Louis G. Riecke Sr., the new president of the school board, said Tuesday night after a meeting in Baton Rouge that he was "very much encouraged."

Riecke and other school board members met with legislators and segregation leaders.

All hands agreed, however, that more such meetings would have to be held before a solution was reached.

GABRIELLES HEADING NORTH

# Integrated Family To Quit Struggle In New Orleans

NORTH PROVIDENCE, R.I. (AP)—James O. Gabrielle o North Providence is going t bring his family home from New Orleans for Christmas — and probably for good, the Journal-Bulletin learned Wednesday.

But Mrs. Gabrielle said in a telephone interview that the move will not mean the family has given up its struggle to keep an integrated school from closing.

She said the family feels they have done just about all they can do. They feel they probably have broken for good the boycott of white parents against the school. The boycott was started because one Negro girl was enrolled in the school.

Mrs. Gabrielle said no definite date has been set for the move. and she said she was going to keep the six-year-old girl in the integrated William Frantz School right up to the last moment.

It is largely economic pressure that brought about the decision of Gabrielle to return to North Providence, Mrs. Gabrielle said. Gabrielle was forced out of his job as a meter reader for the city water department because he would not bow to mob action.

Mrs. Gabrielle said that several providence persons have offered him jobs. She said she is not certain who these persons are. Gabrielle was not available to be consulted.

# N. O. Priests Beg For Tolerance, Respect

NEW ORLEANS — A Catholic society of priests who work among Negroes placed an advertisement in a newspaper here asking tolerance and respect for our country's courts.

The ad was placed in the Times-Picayune by the Josephite Fathers, who conduct 22 churches in the New Orleans archdiocese. It bore the signature of Father George O'Dea, S. S. J., Superior Gen. of the Josephites.

Racial desegregation of two New Orleans public schools, at the order of a Federal Court, has led to an almost total boycott of the schools by white students, jeering by unruly white mothers of parents whose children still attended the schools and a series of actions by state legislators designed to prevent integration.

**CATHOLIC CITY**

The Josephites' advertisement, entitled "An Appeal to Catholics," said that "New Orleans is considered a Catholic City."

"In the pages of national and international publications we have become a city of violence, hatred and disobedience," the advertisement said.

Negroes, it said, have patiently born discrimination against them, awaiting the day when their human dignity would recognized.

"Now that their day of hope is dawning, they look to their white Catholic brothers to be equally dedicated to their responsibilities towards peace: to snatch the leadership from hatemongers, to stand firm for tolerance, to respect our country's courts," the ad said.

A METHODIST MINISTER (right) accompanies his daughter — one of two white students remaining in integrated William Frantz school in New Orleans — as girl left school after attending kindergarten class. The clergymen were jeered by hecklers who had congregated outside school building. Minister's daughter is one of two white student attending Frantz school Monday. A Negro girl who attended made a total of three pupils for entire school. The priest engaged in a verbal exchange with the hecklers and was shoved and jeered for his efforts.

# Women Racists Curse, Hit Cleric

Chicago Defender

Chicago, Ill.

12-10-60

NEW ORLEANS (UPI) — Cursing housewives tried to block a white minister from taking his daughter into an integrated elementary school Tuesday, but police held them back.

"Take your hands off me," snapped the Rev. Andrew Foreman as a white woman teached past police guards to shove him. He was taking his 5-year-old daughter Pamela Lynn to her kindergarten class at William Frantz school.

Despite the irate women, two more white students showed up at Frantz, bringing the total attendance to five — a Negro girl and four whites. Monday only two white students attended.

**PARENTS GO IN**

At McDonogh 10, three little Negro girls had the building all to themselves for the third day. White students, accompanied by their parents, went into the schools but soon came out with report cards and other papers necessary to transfer to segregated schools.

A crowd of about 25 women, braving the first cold snap since integration began, were waiting in front of Frantz for the Rev. Foreman, a Methodist minister, and his daughter.

Yelling insults and curses, they tried to block the minister and his daughter from crossing the street [illegible] guarding the building ran across and cleared a path for the minister and his daughter.

**SCREAM EPITHETS**

". . . White trash," the women screamed. One of them shoved him. Foreman said his daughter wasn't frightened by the crowd, but "frankly, I don't know what they might try."

As classes began, the city awaited the decision of a three-judge federal panel considering a school board request for abandonment of integration, which the board says makes the schools a "battleground" for the states rights controversy.

Segregationists fear Catholic schools, which teach more students than public schools, will integrate this year. The archdiocese earlier pledged to integrate schools when public schools did, but then [illegible] it would wait until public school integration proved "effective."

Absenteeism here was down to 5,079 Monday compared with 12,157 on the last previous school day. Crowds of heckler's were the smallest and quietest since the first week of integration.

UNMOVED BY RULING

# White Boycotters Hold Firm At New Orleans

NEW ORLEANS (AP) — The white boycott against integrated classes neither gained nor lost ground Monday as the U. S. Supreme Court and the president of the city's school board both tossed punches in the four-week-old fight.

Eight white children—the same number as last Friday—attended the William Frantz school, along with the one Negro girl in the first grade.

Three Negro girls showed up as usual at McDonogh No. 19, a 500-pupil school they've had to themselves since integration started Nov. 14.

Temperatures in the low 40's and a biting wind chilled the few demonstrators and newsmen at Frantz. Across the street from the school, a handful of silent women watched the students enter the three-story building. There were no boos, no jeers, no outcry.

Teachers at Frantz ignored the state legislature's threat of economic reprisal by showing up for classes.

But the action of the legislature, aimed at closing facilities at both Frantz and McDonogh, brought a warning from school board president Lloyd Rittiner.

If the two schools, integrated by the order of a federal judge, are pressured into closing by the legislature, Rittiner said, the four Negro first graders would "in all likelihood" be moved by federal court order to other schools.

"Then, if the next schools integrated are closed," he warned, "the Negroes will be moved to others. There will be a chain reaction closing all public schools in New Orleans and if that is done the schools of the entire state will be closed."

The legislature has refused to pay the salaries of personnel at the two integrated schools. Only last week, an anonymous donor furnished money to meet their November payrolls.

In Washington, the Supreme Court knocked down special Louisiana laws to preserve segregation. This the high court did by unanimously upholding the decision of a three-judge federal panel in New Orleans.

Both the state and the city school board had asked the three jurists for a suspension of integration pending the settlement of federal and state differences. The state had argued the invocation of interposition — placing the state's sovereignty between the federal government and the people—was paramount to any federal court.

The Supreme Court, like the lower court, disagreed.

Dr. James Redmond, superintendent of the city's public schools, said he believed eight white students would be the high water mark at Frantz for the next few weeks.

The state awaited what new action would be forthcoming from the state legislature, called into a third straight session by Gov. Jimmie H. Davis. The new session starts Saturday, two days after the present session ends.

# Louisiana's Plan Voided By Tribunal

WASHINGTON (AP) — The Supreme Court Monday unanimously smashed all barriers erected by Louisiana in its effort to block public school integration.

The court, using firm language, backed up a Nov. 3 ruling by a three-judge federal court in New Orleans that:

1. Knocked out an assortment of anti-integration laws passed by the Louisiana legislature. The new laws were aimed at heading off a federal court order for integration of New Orleans schools, beginning with the first grade this year.

2. Bluntly rejected Louisiana's effort to halt school integration by invoking the doctrine of interposition—a theory that a state can interpose its sovereignty between federal authority and the state's citizens.

**ILLEGAL DEFIANCE**

The Supreme Court agreed with the lower court that interposition clearly is not a constitutional doctrine and, "if taken seriously, it is an illegal defiance of constitutional authority."

Louisiana's chief argument in challenging the lower court's ruling was that the state "has interposed itself in the field of public education, over which it has exclusive control."

In a brief unsigned opinion, the Supreme Court said, "This objection is without substance." The high tribunal cited a 1959 Little Rock school case tracing the authority of the federal judiciary back to 1803 and said it had disposed of the interposition question at that time.

Other objections of Louisiana to the lower court's ruling "are likewise without merit," the Supreme Court said.

Specifically, what was before the court was a plea by Louisiana to defer effectiveness of the lower federal court order pending a full-scale review of it.

While Louisiana technically still may file a formal appeal, the court, in four paragraphs, seemingly decided the outcome.

By a 5-4 vote, the court Monday struck down as too broad an Arkansas law requiring public school teachers to submit annual sworn statements listing all organizations to which they belonged or contributed in the preceding five years.

Justice Potter Stewart, author of the majority opinion, said the scope of the inquiry required by the law is completely unlimited.

Among other things, he said, the law requires a teacher to reveal the church to which he belongs, or to which he has given financial support, the political party to which he belongs and even political organizations to which he may have contributed over a five-year period.

Stewart said that in a series of decisions the Supreme Court has held that even though the governmental purpose be ligitimate and substantial, that purpose cannot be pursued by means that broadly stifle fundamental personal liberties.

**WITHIN BAN**

He said the "unlimited and indiscriminate sweep of the statute now before us brings it within the ban of our prior cases."

Justice John M. Harlan wrote a dissenting opinion in which Justices Felix Frankfurter, Tom C. Clark and Charles E. Whittaker joined. Frankfurter wrote another dissenting opinion in which Clark, Harlan and Whittaker concurred.

Harlan said there was no showing before the court that the law had been administered in any discriminatory fashion. Frankfurter said that on the record in the case he could not attribute to the state a purpose to employ it in a way forbidden by the constitution.

The case came to the court on appeals by three teachers who refused to submit all the information called for. One was a Negro, the other two, whites.

**BRAVE LITTLE SHOCK TROOPS** in the raging battle for equality in New Orleans, these three six-year old girls are shown leaving McDonogh Elementary School after beginning their second week of integrated schooling on Monday.

# Tell AFRO they will not yield

By SAMUEL HOSKINS

NEW ORLEANS, La. — As the State Legislature resumes its fanatical anti-school desegregation special session, the handful of parents, pupils and lawyers who are the "eye" of the integration storm which has rattled this city since Nov. 14 continues to stand firm.

Despite reports to the contrary, all of the parents share the determination of the mother and father of one of the four little girls admitted to the two public schools previously attended by white students only.

The parents told the AFRO: "We're concerned, naturally, but we intend to see this thing through."

* * *

**ONE OF THE** lawyers in the case described as "segregationist propaganda" the report that one of the colored pupils has been withdrawn from the desegregated schools.

The lawyer, who asked that his identity not be revealed at this time since he is connected with litigations in the case, said that in his opinion the reported was spread in an effort to play on the concern the parents naturally feel for their children.

"It's an old technique," the lawyer said, "but it won't work.

He added: "True the odds against the parents are great, but it's not the first time in history the powerful were aligned against the so-called weak.

"This struggle is somewhat like that between David and Goliath, but I predict we will win."

* * *

**THE DAVID-GOLIATH** aspect of the desegregation controversy has been obvious from the beginning, six years ago when the case was filed.

The analogy became more apt, this week, as the entire state government — the Governor, the state courts and particularly the noisy Legislature — lined up with the segregationists.

The latest move of the Legislature is an effort to force all white teachers in New Orleans to sign a pledge they will not teach in desegregated schools.

According to pro - segregation State Sen. Howard Jones of St. Joseph Parish (county), the Legislature plans to tie up $1,5000,000 of school board funds by shifting the money from the state treasury in Baton Rouge to state - chartered banks in Shreveport.

**THE MOVE IS** designed to circumvent a Federal court order on the state treasurer and the state board of educatiton to prevent them from witholding funds from the New Orleans school board because of the desegreation order.

The threatened funds tie-up also is viewed in some quarters as a maneuver to influence the three - judge Federal court to withdraw the desegregation order.

However, it is doubtful that the Legislature will carry out its fund tie-up threat.

**AS POINTED OUT** by New Orleans school board president, Lloyd M. Rittiner, such a move would result in a "freeze" for all public school funds.

"If schools here (New Orleans) are closed for lack of funds from the state, I am certain it will mean school closure throughout Louisiana," Rittiner said.

Another reason the fund tie-up move would prove futile is that the money could be blasted out of the state-chartered banks by a taxpayer's suit.

The New Orleans school board president further expressed the opinion that such a suit, were it brought, would be upheld by a Federal court.

Another saw the desegregation controversy as direct pressure as: the Davis Administration and segregationists who are not state officials are attempting to apply to the three judge Federal Court in an effort to get the desegregation order reversed.

Upon recessing the court on Nov. 18, Judge Richard T. Rives announced that all orders and injunctions issued by U.S. District Judge J. Skelly Wright would remain in effect.

Apparently relizing that the court, in effect, left the next move up to the segregationists, State Attorney General Jack P. F. Gremillion ran after the judge and asked "When may be expect the court to rule?"

The jurist answered, in effect, that the court's ruling could be expected in due time.

* * *

**LATER DURING** the week a New Orleans newspaper called the judge at his home in Montgomery and posed the same question.

The judge again answered: "When a court takes matters under advisement, the matters stay in the breast of the court until the ruling is ready."

The move by the Legislature to drag President -elect John F. Kennedy into the desegregation hassle also is viewed as a desperate effort to drum up pro - segregation sentiment.

* * *

**GOV. JIMMIE DAVIS** sent a three - man delegation to Palm Beach, Fla., to get Kennedy's "views on the Federal judge's order for desegregation of schools in New Orleans."

The delegation of Louisiana legislators was headed by Chris Faser, the Governor's executive secretary.

The effort was frustrated when the President - elect sidestepped the issue by referring the group to his deputy, Clark M. Clifford, and later refusing comment.

* * *

**THURGOOD MARSHALL** "After eight years in court, this furor. It is unbelieveable to be in the schools, that the state says they have to come with four col. "I say to this court, I don't'out."

"This is the cause of all how the Federal Government could say they have no right believe anyone could plain to these four little girls integrated pupils in three-Judgeschools — four little girls. ary, Nov. 18, ored ears rd

# 'Concerned, but we're going to see this thing through'

The Afro American
Baltimore Md.

By SAMUEL HOSKINS

NEW ORLEANS, La. — "We're concerned, naturally; but we intend to see this thing through."

This is what the father of one of the four little girls who are the center of the anti - school integration storm kicked up here by diehard segregationists, told me Sunday.

As the father spoke, the child— only six— played on the floor with her dog, Michael. She calls him "Mike." The child's young mother was at the dining room table pouring coffee.

* * *

"YES," SHE said, "we're going to see it through." Her voice was soft, but there was iron underneath the softness.

Mrs. —— had answered my early morning ring, unannounced and unexpected.

"Yes, what is it?" She had asked, barely cracking the door of the neat brick bungalow on the neighborly looking, quiet street in the far downtown section of the city.

* * *

IDENTIFYING MYSELF, I asked if I could ask a few questions regarding "the school situation."

Still holding the door, she called her husband. He came to the door. At least 6 feet, 2 inches tall and weighing over 200 pounds, he was taut and alert.

I went through the identification business again, asked the same questions about an interview.

He hesitated, so I kept talking— pulling out press cards, driver's license and rattling off the names of the persons (lawyers and NAACP officials) who had okeyed the interview before giving me the name and address.

* * *

HE RELAXED a bit when I got down to the press card with my picture on it. Then suddenly he stiffened and the muscles in his jaws went taut.

Immediately I saw what was wrong. He had seen my Elk membership dues card. The dues "paid - punch" forms a "K." There were three punches side by side, making a very obvious KKK.

Before he could speak I asked: "Tell me, did you ever see a colored member of the Klan?"

That did it. He laughed and said "No." The tension drained out of his face.

Mrs. —— said they were about to have breakfast, would I join them. I said I'd have a cup of coffee. The four of us sat at the neat dining room table.

* * *

THE CHILD, who has her ears pierced and wears the cutest little gold ear-rings, appeared completely unaware of the fact that she and three other little girls like her have completely upset an entire state administration, troubled thousands of racial bigots, worried a police force and attracted the attention of millions throughout the world.

"How do you like school?" I asked.

"Oh, fine," she said.

"You like your teachers, too?"

"Yes," the child answered, stuffing a portion of a sausage into her mouth and grinning mischievously.

* * *

"LIKE YOUR teachers better than you do Mike,?" I asked.

She looked at me as if I had suddenly gone crazy, or something: "Oh, no. I like my teachers, but I love Mike," she said.

The child's answer made my next question to her parents quite unnecessary, but I asked it anyway.

"Has all of this controversy over desegregation had any harmful effect on her?"

Mr. and Mrs. —— were thoughtful for a long moment. Finally Mrs. —— said: "Not that we can see. But I hope not. I think the only reaction has been to wonder why playing outside has been discontinued."

* * *

BREAKFAST CONTINUED and the interview became conversational.

It dealt with Little Rock, the Little Rock Nine, Clinton, Tenn., the Kasper trial and school desegregation in Baltimore and Washington.

Mr. —— said in answer to my question that he was 34, adding "Today is my birthday."

The child said she gave him a bottle of Old Spice after-shave lotion for a birthday present.

Mrs. —— did not volunteer her age. So I didn't ask.

* * *

BUT I did ask how long they had been married; and was told they have been married seven years. Met at baseball game and he married her because she used to yell for the opposing team—a reason which, seeing how they looked at each other, I didn't take at face value.

The six - year - old is their only child, "Unless we're to say Michael is an adopted member of the family."

* * *

YES, THERE has been some annoyance since this school business started— "a few telephone calls by cranks."

Breakfast ended and so did the interview. As I left, Mr. —— said: "Remember to write that we're going to see this thing through."

Holding the hand of her 200-pound, six foot plus husband, the wife and mother agreed they would see it through.

# National sympathy drive for 4 brave little girls

The Afro-American
Baltimore Md.

BOSTON — A group of Harvard University graduate students are asking Americans over the country to extend a warm hand of sympathy and encouragement to the "four little girls for freedom" in New Orleans.

The four children are Gail, Leona, Ruby and Tessie who calmly and courageously attended New Orleans' newly integrated schools despite nasty mobs that screamed, shouted and demonstrated riotously against them.

For protection, the six-year-old crusaders are only known by their first names.

Harvard students were so moved by their bravery that they kicked off a campaign last week to send Christmas cards, letters and gifts to the children.

They also hope to receive enough donations to give a college scholarship to at least one of the girls.

The students last week posted an enlarged photo of one of the children in Harvard Square. A large card was left by the photo for persons to sign. It will be sent to the children as a token of support. Soon after the card was posted, several hundred had signed.

Included in the card's greeting is the Biblical quotation: "And a little child shall lead them."

A group of Boston cltrgymen, including the Rev. Jack Mendelsohn of the Arlington Street Church; Rabbi Murray Rothman of Temple Shalon in Newton and the Rev. Joseph Collins of the Harvard Catholic Club, encouraged this activity from the pulpit in Sunday schools and in youth groups.

Boston newscasters and disc jockeys including Louis Lyons, Paul Benzaquin, Dave Rodman and Dave McNeil are urging listeners to write the children. Several elementary and secondary schools are undertaking class projects to write to the girls.

Letters and cards to the four girls (only their first names are needed) should be addressed to them care of Arthur Chapital Sr., 1821 Orleans Ave., New Orleans, 16, La.

# PUPIL REGISTRATION PROCEDURES LISTED

The Times-Picayune New Orleans, La

## City Schools Start Class Work September 7

Aug 8-21-60

School Supt. James F. Redmond Saturday defined the fall registration procedure for New Orleans public schools.

**The school system's 90,000-plus pupils who were in the system as of last June need not concern themselves.**

**Only new students—those who have never been in school before or who will be entering a New Orleans school for the first time—must follow the procedure.**

Redmond's statement, issued after two days of conferring with his administrative staff, conforms with Gov. Jimmie H. Davis' executive order taking over control of the city's schools.

**Text of Dr. James F. Redmond's statement concerning registration in New Orleans public schools next month appears in Sec. 1, Page 16.)**

He was named by Davis as the governor's agent to run the schools when the executive order, issued Wednesday, superseded the Orleans parish school board.

**ENROLLEES UNAFFECTED**

Davis' action, an effort to stave off a federal court order to desegregate first grade classes, called for a special registration of all new students.

**Redmond identified the classes of pupils which do not have to repeat the registration process.**

**They include all pupils who were enrolled in a New Orleans public school during June, 1960—those who completed kindergarten in the 1959-60 school year; children who were registered for the 1960-1961 kindergarten session during the spring registration of April 21-22, 1960; those who were enrolled in June but who moved into a new school attendance district during the summer.**

All others will be considered to be new students and will have to comply with Davis' executive order.

**Parents of new students—the word "new" stressed over and over again by Redmond—will have to provide him with detailed information, by Sept. 2, about the child.**

Data sought includes the child's name, year and place of birth, sex, race, mother's name and occupation, father's name and occupation, name of doctor who delivered the child, illnesses, if any, and the usual birth and vaccination certificates.

P-16

**CLASSES OPEN SEPT. 7**

Classes will begin on Wednesday, Sept. 7, Redmond said, and he stressed the following:

**1. Pupils will not report to a school prior to Sept. 7.**

**2. New pupils will receive a mailed postal card notice of assignment which must be presented to the building principal when reporting to school.**

New Orleans

**3. New pupils are not to report to a school until the postal card notice of assignment is in their possession.**

**4. An individual application for registration must be made for each new pupil. This applies to parents of more than one child described in the new student category.**

8-21-60

In the registration process, as set forth in Davis' order, new students must designate the first and second choices of schools in which they seek registration.

Mr. James

**TRANSFERS WAIT**

Redmond stated also that applications for [illegible]'s to transfer from one [illegible] to another will not be considered or acted upon before Monday, Oct. 3.

Redmond's registration outline topped the day's happenings in the city's school situation.

The Southern Conference Educational Fund, Inc., made public a letter sent to Davis pleading with him "not to destroy" the public schools.

**DOMBROWSKI LETTER**

The letter was signed by James A. Dombrowski, executive director. It stated that "closing even temporarily a school system with 93,000 pupils would be disastrous for the entire community, but the children would suffer the heaviest penalties."

Meanwhile, the hide-and-seek game between Davis and US deputy marshals may be over. Marshals had for four days tried unsuccessfully to make personal service on Davis of a summons to appear at a federal court hearing on the school question.

**The hearing is set for 10 a. m. Friday on two suits, one filed by a group of white parents and the other by the National Association for the Advancement of Colored People.**

The marshals apparently are satisfied with the various services in Davis' direction, since there have been no reports of the marshals at work in Baton Rouge.

Davis remained at his governor's mansion, apparently planning no outside ventures at this time.

**SUMMONS LEFT**

Observers feel that his strategy is to fight out the questions in court around the summons to court—whether Davis could, as chief executive of a sovereign state, accept the process or could be legally served, and whether the federal government can prove that he was served properly.

The deputy marshals set one summons down on the doorsteps of the mansion and two more were in the governor's capitol office anteroom, where office workers refused to accept the papers.

**Davis, apparently is not going to accept service from federal marshals and has called for a showdown on states' rights.**

**He has said that Louisiana's state sovereignty is at stake in the matters in federal court, including an injunction suit which seeks to prevent Davis from interfering with the court's integration order.**

Mayor deLesseps S. Morrison said that the states' rights issue, the question of state sovereignty, "was settled in the Civil War."

He said, "If we are going to lose the decision, inevitably," a small percentage of integration "might be the answer in the situation instead of having lots of trouble and lots of mixing."

Morrison said the city attorney "has grave doubts" the governor will be able to keep public schools open and segregated.

Davis has said time and again the schools will be kept open and segregated.

**'WILL BE ABOLISHED'**

Dombrowski's letter stated that segregated schools in Louisiana "eventually will be abolished because the U.S. supreme court has ruled that they are a violation of the Constitution."

The letter to Davis said: "We trust that your decision Sept. 8 will not cause you to be remembered in history as the governor responsible for the destruction of the public school system."

Davis, in his executive order, called for schools to open Sept. 7, a day ahead of schedule.

# Text of Redmond Statement

The following statement concerning registration in New Orleans public schools was made Saturday by Dr. James F. Redmond.

"Classes will begin for New Orleans public schools on Wednesday, Sept. 7, 1960. Pupils will not report to a school prior to Sept. 7, 1960, for any reason.

"Registration of Pupils:

"1. All pupils who were enrolled in a New Orleans public school during June of 1960 are considered as being registered and will not repeat any registration process. They will report on Wednesday, Sept. 7, 1960, to the district school to which they are assigned.

"2. Pupils who completed kindergarten in a New Orleans public school in the 1959-1960 school year are considered registered and will not repeat any registration process.

"3 Children who were registered for the 1960-1961 kindergarten session in a New Orleans public school during the spring registration of April 21-22, 1960, are considered as being registered and will not repeat any registration process.

"4 Pupils who were enrolled in a New Orleans public school during June of 1960 but who moved into a new school attendance district during the summer are not considered new pupils and will not repeat any registration process.

"However, they should report to their new district school on Wednesday, Sept. 7, 1960, where the principal will arrange for an official transfer.

"5. Applications for permits to attend a school other than the one located in the residence attendance district will not be considered or acted upon prior to Monday, Oct. 3, 1960. This includes all residence affidavits. In the meantime, pupils shall enroll in the schools of the respective districts or bus areas in which they reside.

"6. All other students are considered to be new students and their registration shall be accomplished in compliance with Executive Order No. 1 issued by Gov. Jimmie H. Davis and dated Aug. 17, 1960. The executive order directs that the registration of all new students desiring admission to the public schools of the parish of Orleans shall be effected in accordance with the following procedure:

"Notify by U. S. mail addressed to Mr. James F. Redmond, 703 Carondelet st., New Orleans, La., (1) the name of the student seeking registration, (2) school in which registration is sought, (3) school of second choice in which registration is sought, (4) present address, (5) where and when born, (6) number of the birth certificate, (7) exact year of birth, (8) sex, (9) race, (10) mother's maiden name and occupation, (11) father's name and occupation, (12) physician who delivered child, (13) any illness. The above notice shall be postmarked on or before 12 o'clock midnight Sept. 2, 1960. Such notice shall be accompanied with a certified copy of the birth certificate of the student, a vaccination certificate, or evidence of same, of the student. In addition proper evidence of any school credits previously attained by the student shall accompany the notice.

"7. An individual application for registration must be made for each new pupil.

"8. New pupils will receive by U. S. mail a postal card notice of assignment which must be presented to the building principal when the pupil reports to school. New pupils are not to report to a school until the postal card notice of assignment is in their possession

"It is absolutely necessary that birth certificates and vaccination certificates accompany all applications for registration.

"Birth certificates may be secured for pupils born within Orleans parish at Room 1 WO4, City Hall.

"Birth certificates may be secured for pupils born outside of Orleans parish, but in the state of Louisiana at Room 508, State Office building.

Birth certificates may be secured for pupils born outside of the state of Louisiana by writing to the Bureau of Vital Statistics in the state or country in which they were born.

"Vaccinations may be obtained from private physicians, from the city health department, first floor of City Hall, or from the public school medical department, 820 Girod st.

# Archbishop's Letter Assailed

## S. La. Group Raps View on Public Schools

The South Louisiana Citizens' Council Monday sharply criticized Archbishop Joseph F. Rummel for his pastoral letter on the public school integration problem.

In a statement signed by Joseph E. Viguerie, president, and Jackson G. Ricau, executive director, the council accused the archbishop of "interference beyond the bounds of his ecclesiastical regimen," and said his message was "an open invitation for the state to interfere in the operation of the parochial school system."

The pastoral letter was read in all Catholic parishes Sunday.

**STATEMENT TEXT**

The text of the council's statement follows:

"We are at a loss to understand why Archibishop Rummel, whose own flock has rejected integration in the parochial schools, should ask for public school integration, which is beyond the bounds of his ecclesiastical regimen.

"Archbishop Rummel should know by now that constitutional lawyers agree that the supreme court integration decree was not a legal but a sociological decree, and that the supreme court has been widely attacked for making decisions sympathetic with Communist and subversive causes.

"How can His Excellency, whose own faith opposes divorce, for example, pay homage to a court that upholds divorce as well as integration?

"Archbishop Rummel should know that the authority with regard to the Orleans parish public schools is vested in our chief executive, Gov. Jimmie H. Davis, who is the sovereign head of the state of Louisiana, one of 50 such states which, by compact, designate certain powers to the federal government; that the states reserve to themselves under the constitution, and particularly under the Tenth Amendment, certain rights, one of which encompasses the field of education.

"Instead of delving into political endeavors, His Excellency should find much consolation in dwelling on the thought that there is a law that transcends the so-called law of the land, that is, the law of God, as revealed in Sacred Scripture, which nowhere states that people must integrate.

"A point that Archbishop Rummel ignored was that Gov. Davis has said nothing about closing the schools. In fact, the governor has made numerous statements that the public schools in New Orleans will open on a segregated basis.

**MIXED 'LAWLESSNESS'**

"His Excellency speaks of 'lawlessness' in open schools, declaring how much worse it would be if schools are closed. We have not heard of any lawlessness in our segregated schools, public or parochial, but we do know about the lawlessness and chaos in integrated schools. We refer specifically to the U. S. House of Representatives Subcommittee Report of 1957 on conditions in the Washington, D. C., public schools. Sworn testimony of school personnel revealed 'deplorable conditions of attempted rape, assaults, and other disorders. The subcommittee concluded: "It finds that the integrated school system in the District of Columbia cannot be copied by those who seek an orderly and successful school operation."

"The growing Negro population in the nation's capital is a cause of grace concern. U. S. News & World Report, June 20, 1960, reports that the capital lost 719 stores between 1954 and 1958. The rise in the Negro population is due to the fact that nearly 90 per cent of the pupils in the capital's public schools are Negro. The whites have fled.

**WHY CONCERNED?**

"Archbishop Rummel asserted that 'only through the Catholic system of education can parents guarantee to their children that well-rounded education which includes spiritual and moral teaching. . . .' If all of these good things enumerated are found only in the Catholic schools and not in the public schools, then why does the Archbishop concern himself with the public school issue?

"His interference in the public school issue is an open invitation for the state to interfere in the operation of the parochial school system.

"According to a group of Negroes seeking to enroll four Negroes in the new Christian Brothers school in City Park, the Archbishop said 'this isn't the time to integrate, due to the material losses that may be incurred by the Catholic schools and church.'

"Archbishop Rummel made it clear in his pastoral letter that the parochial schools will open 'on scheduled time, namely on Tuesday, Sept. 6'—segregated.

**'AID TO INTEGRATORS'**

"We fear that Archbishop Rummel's Sunday pastoral is bringing aid and comfort only to such leftwing pressure groups as the National Association for the Advancement of Colored People, Save Our Schools, and other such organizations doing everything in their power to scuttle the governor's program to keep schools open and segregated.

"We hope and pray that His Excellency will alter his views to conform with the laws of the state of Louisiana in confirmity with the Constitution, but if he cannot do so, he will at least leave the public school problem to the governor and other state officials who are trying very hard to see to it that we maintain our Southern way of life."

---

## Perez Charges Letter Is Party Endorsement

Leander H. Perez, district attorney of Plaquemines and St. Bernard parishes and a Citizens Council leader, Monday assailed a Roman Catholic archdiocesan letter concerning the racial problem.

The letter, written by Archbishop Joseph Francis Rummel, was read in all parishes of the archdiocese Sunday.

Perez' statement:

"The archbishop's pastoral letter advocating racial integration of all schools is in line with the Democratic party platform of forced integration in all areas of community life, and it can only be interpreted as the Catholic hierarchy's endorsement of Kennedy for President.

"I was raised as a Catholic from childhood, taught at my mother's knee. But I'm not an archbishop Catholic; I'm not a modernist Catholic.

"I have not adopted a Communist ideology of racial integration to destroy the education of our youth; to destroy the morals of our people, or to destroy our whiute civilization.

"We cannot yield to any human to keep us off this righteous course. I know many Catholics who have fallen away from the church, and many more will do so if the archbishop attempts to carry out this forced integration.

"The archbishop is attempting to create a schism in the Catholic church."

Mr. Wagner said he did not think the Archbishop's firm stand for integration would alter the school situation.

"But as spiritual head of the Catholic Church, his letter may cause some Catholics to feel sinful for maintaining their convictions," Mr. Wagner added.

Archbishop Rummel's letter condemned resistance to the Federal order to integrate the public school first grades in September, and said the Catholic Church was, in principle, committed to the "racial integration of Catholic schools."

---

## INTEGRATION PRAYER ORDERED BY PRELATE

NEW ORLEANS, Aug. 21 (UPI)—Thousands of Roman Catholics, many of them stanch segregationists, listened today to a letter from their Archbishop ordering a day of prayer in favor of integration of New Orleans public schools.

The most Rev. Joseph Rummel's letter, which he ordered read in every Catholic church in the city, urged compliance with a Federal Court order to integrate the Orleans Parish (County) public schools.

Integrationists hailed the letter as the "long awaited" strong response from the Archbishop.

But segregationists suggested that the Catholic Church here integrate the Catholic schools in New Orleans before seeking mixed classes in public schools.

Emile Wagner, segregationist member of the Orleans Parish School Board and a Catholic, said "integration would be more improper and immoral than segregation" because of the great disparity in the number of whites and Negroes. The Negro-white ratio here is about 60-40.

# Suit Demands Names Of 4 Negro Pupils

NEW ORLEANS (AP)—Emile Wagner Jr., the only Orleans Parish school board member who refused to go along with token integration Friday filed suit to get the names of the students at the two integrated schools.

Wagner, who filed the suit in the state civil district court, declined to say why he wanted the names and addresses and what he intended to do with them.

School officials have not announced the names of the four Negro children attending McDonogh No. 19 and William T. Frantz schools.

Wagner asked the court to order Dr. James F. Redmond, superintendent, to give the information. He said he was entitled to the information as a member of the school board.

**HEARING TUESDAY**

Wagner said Redmond had refused to give the names Nov. 21.

Judge Alexander E. Rainold set Tuesday for a hearing of Wagner's suit.

Meanwhile, the president of the Dad's Club of William Frantz school said the club has hired 22 retired teachers for private segregated classes.

President Armand Duvio said classes would start as soon as buildings are acquired.

He said the club now considers Frantz a Negro school. One Negro girl and three white pupils attended the first grade there last Friday before the start of a weeklong statewide school holiday.

The decisions of a three-judge panel on integration suits involving New Orleans public schools likely will not be given until next week, said U.S. Dist. Judge J. Skelly Wrights' office.

The judge's office declined to say when the decisions were expected, but added that the Judge's chambers would not be open Saturday. Wright is on the panel.

One of the rulings will be on an Orleans Parish school board request that Judge Wright's integration order be suspended.

Wright, in the meantime, received a traffic ticket on charges of cutting into a lane improperly and hitting another vehicle.

NOV.1960 (TEACHERS)
NEW ORLEANS

# Gov. Davis Called On to Solve Problem of Payless Teachers

The Washington Post
Washington D.C.
Wed 11-23-60
P 1 2

NEW ORLEANS, Nov. 22 (AP)—Public schools of New Orleans—caught in the middle of a bitter segregation fight—cannot pay their teachers this month, the school superintendent said today.

James F. Redmond, the superintendent, said Gov. Jimmie Davis was the only one who could solve the financial problem.

In a news conference, Redmond urged that Davis "rise above the noisy emotions of some state legislators" and make the money available.

Many teachers said the announcement of a payless November came as no surprise. The consensus seemed that they would continue to work and eventually receive their salaries. Most teachers, attempting to avoid the segregation hassle, refused to comment.

There were unconfirmed reports hat a group of local businessmen would advance $2 million for the teachers.

"The nation is watching the state of Louisiana," Redmond said. "It has been made clear by state actions that Orleans parish school board officials cannot be considered responsible for this plight."

"What happened was this:

State banks, worried by legal claim and counterclaim, refused to loan $1,900,000 to meet the monthly teacher payroll due Wednesday. The loan would have been made against future earmarked tax revenues. It is a normal procedure this time of year.

The Legislature, fighting mad over Federal desegregation of New Orleans schools last week, refused to make state money available. It didn't reply to telegraphed School Board pleas last week.

The School Board squeezed by a $45,000 weekly maintenance payroll last Friday because a New Orleans bank (Whitney National) made available some deposited school funds. The state promptly moved to take away state business from the bank. The payless payday will affect 4500 teachers, principals and other school employes.

### *Confusion Cloaks Governors' Session*

BATON ROUGE, La., Nov. 22 (AP)—Southern Governors responded quickly today—both for and against—to a high level secret conference seemingly cloaked in confusion.

First reports said Gov. Jimmie Davis of Louisiana, fighting to preserve segregation in New Orleans public schools, had issued the invitation for a Nov. 30 conference of Southern Governors here.

But the Governor's press secretary said Davis had not issued such a call.

Gov. Ross Barnett of Mississippi, now touring South America, said he would attend the conference. It was Barnett's office that made the invitation public.

Joe Bullock, executive assistant to Barnett, said the invitation "came to this office through mutual friends of Barnett and Davis. It was by word of mouth... I think you will find they will have a meeting."

The office of North Carolina Gov. Luther H. Hodges said he had received an invitation, but later said the communique received concerned a speech Davis made and had nothing to do with a conference.

Virginia Gov. J. Lindsay Almond's office in Richmond said no invitation had been received.

In Nashville, the office of Gov. Burford Ellington said he had heard nothing from Baton Rouge and had no plans to attend a conference.

A Little Rock, the office of Arkansas Gov. Orval Faubus said no invitation of any sort had been received.

Davis was reported away from Baton Rouge and could not be reached for comment. The Louisiana Legislature, trying to devise new means of stopping public school integration, put into effect last week under Federal Court order, until differences between Louisiana and the Federal Government can be resolved.

The state contends that the courts are beyond their jurisdiction in ordering public school integration and charge a violation of states rights by the Federal Government.

## New Orleans Teacher-Pay Aid Pledged

The Courier-Journal
Louisville, Ky.
Wed 11-23-60
P 1

### But One Legislator Talks Of Limitations

By The Associated Press

New Orleans, Nov. 22.—The Louisiana Legislature will find a way to pay New Orleans public-school teachers, a leading segregationist legislator said Tuesday.

Representative John Garrett, chairman of the Joint Legislative Committee on Segregation, said at Baton Rouge:

"The Legislature wants to see that the New Orleans teachers are paid. We know the vast majority are not in sympathy with school integration."

Garrett, wno made his announcement on the eve of the reconvening of the 30-day special session, spoke after Dr. James Redmond, public-school superintendent, said no money was in sight for teachers' November checks.

**Davis Help Sought**

Senator Wendell Harris, a member of the State Sovereignty Commission, qualified Garret's announcement by saying that only teachers who teach in segregated schools will be paid.

Harris also said those who taught in the two integrated schools are subject to dismissal.

Dr. Redmon had urged Governor Jimmie H. Davis to "rise above the noisy emotions of some State legislators" and make the money available.

Many teachers said the announcement of a payless November came as no surprise. The consensus seemed they would continue to work and eventually receive their salaries. Most teachers, attempting to avoid the segregation hassle, refused to comment.

**Depression Recalled**

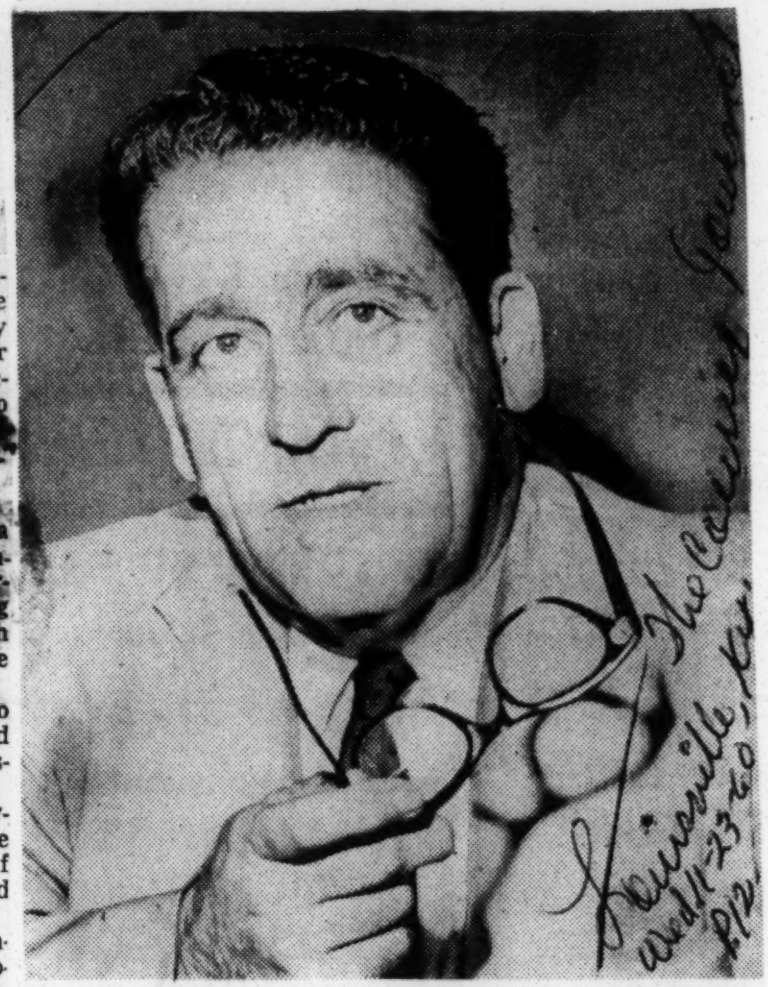
Veteran teachers recalled the depression of the 1930's, when they were paid in negotiable scrip or bonds.

There were unconfirmed reports a group of businessmen would advance $2,000,000 for the teachers.

"The nation is watching the state of Louisiana," Dr. Redmond said. "It has been made clear by State actions that Orleans Parish (county) School Board officials cannot be considered responsible for this plight."

*What happened was this:*

State banks, worried by legal claim and counterclaim, refused to lend $1,900,000 to meet the monthly teacher payroll due Wednesday. The loan would have been made against future earmarked tax revenues. It is a normal procedure this time of year.



Associated Press Wirephoto

NO PAYROLL . . . Dr. James Redmond, superintendent of Orleans Parish schools, said at his New Orleans office yesterday that there is no money to pay teachers and other school employees.

The State Legislature, fighting mad over federal integration of New Orleans schools last week, refused to make State money available. It didn't reply to telegraphed School Board pleas last week.

**Schools Closed This Week**

The School Board squeezed by with a $45,000 weekly maintenance payroll last Friday because a New Orleans bank made available some deposited school funds. The State promptly moved to take away State business from the bank.

The payless payday will affect 4,500 teachers, principals and other school employees.

If it forces a shutdown of the City school system, 98,000 students will be affected.

The schools are closed in New Orleans this week while white and Negro teachers attend state conventions in Baton Rouge.

But Dr. Redmond asked all school employees affected by the pay recess to report for regular assignments next Monday morning.

"It is hoped by that time," he said, "we will be in a position to give them specific information regarding salaries owed them."

# Ask Teachers To 'Work For Free' In New Orleans

Atlanta Daily World
Atlanta, Ga.
Wed 11-23-60

## $2 Million Payroll To Be 'Withheld Indefinitely'

By JOHN G. WARNER
(United Press International)

NEW ORLEANS (UPI) — The superintendent of New Orleans' newly-integrated schools Tuesday had to ask his teachers to work for free because he can't get the money to pay them.

School Superintendent Dr. James F. Redmond announced Tuesday that the $2 million payroll due Wednesday to 4,500 employees-mostly teachers - must be "withheld" indefinitely.

Redmond said the only hope was that Gov. Jimmie Davis would "rise above the noisy emotions" of state legislators and release state fund to keep the city's school system running.

The state legislature so disgruntled over integration of two elementary schools by four Negro girls that it has tried repeatedly to fire Redmond and the school board, meets again Wednesday.

It will reportedly consider giving the school board enough money to pay the teachers, but it was expected to have strings attached.

One report was that a bill would be introduced to pay the teachers, providing they refuse to teach integrated classes.

The schools are empty this week for teacher's conventions in Baton Rouge and the Thanksgiving holiday. The school board is still awaiting a federal court ruling on its motion to halt integration while the state and federal governments settle their struggle over sovereignty.

Racial violence, which came to a head last Wednesday, still breaks out in sporadic, isolated incidents in the night.

"As of this moment, banks can be of no assistance," Redmond said. School officials said earlier that banks were balking at issuing the customary loans because they couldn't be sure who is running the schools. The school board, in effect, has been running the schools but the state insists it has fired the board and it is running the schools.

In New Orleans Schools

The Talladega Daily Home

# Teachers' Pay Political Issue

Talladega, Ala.
Wed. 11-23-60

BATON ROUGE, La. (UPI)—The Louisiana Legislature goes back to work at noon today after Gov. Jimmie H. Davis tossed into the lawmakers' lap the problem of paying New Orleans public school teachers.

The teachers faced a payless payday today in the wake of legislative efforts to cut off funds to the Orleans Parish School Board to stymie federally directed integration.

Late Tuesday night, Davis said the teachers would be paid.

But the governor left it up to the legislature to provide the funds.

Earlier, Dr. James F. Redmond, New Orleans public school superintendent, said there were no funds to meet the $1.9 million payroll due for 4,500 teachers, principals and other school employes.

Davis said checks will be prepared today and delivered by the end of the week.

Public schools in New Orleans, the state's largest city, were integrated Nov. 14 when four Negro girls entered first-grade classes in two previously all-white schools. The system is closed this week due to a statewide teachers convention at Baton Rouge and the Thanksgiving holidays.

The dropping of classroom racial barriers for the first time touched off a wave of riots and violence in New Oleans and a boycott of public schools by many students.

Classes are scheduled to resume Monday.

The school board is awaiting a decision from a special panel of three federal judges on a request to delay desegregation until differences over soverignty can be ironed out between the state and federal government.

Dr. Redmond said he was "exceedingly pleased" that the governor found a way to make money available to the board.

In announcing that teachers would be paid, Davis said that the Orleans board was advanced its full allotment of state funds for November on Oct. 25, "while a number of parishes have not yet been paid for October."

Davis took exception to an earlier statement by Redmond that the state was discriminating against the New Orleans school system.

But afterwards, the school officials said a legislative resolution "directing banks and business firms not to do business with the school board has made it impossible for us to borrow monies to meet our operating costs."

## New Orleans Schools Running Out of Money

The Kansas City Star
Kansas City, Mo.
Nov 25 60

NEW ORLEANS — (UPI) — The New Orleans school board said this week it may not be able to keep its schools open much longer even if a federal court lifts the integration order that has resulted in abandoned classrooms.

Racial violence disappeared again with daylight and a light drizzle. But not one of the two integrated elementary schools Friday, three Negro girls sat all alone—the 467 white students boycotted classes.

The three-judge federal court took under advisement the school board's motion to stop integration, at least temporarily, and the state's announcement that it is interposing its authority between the court and the schools.

But School Board Attorney Sam Rosenberg, in an impassioned courtroom speech, said that "from a practical point of view, the board is reaching a point that regardless of the orders of this court, we soon will be unable to operate. We are running out of money and the banks won't give us any.

"And rightfully so, probably—they don't know who's running the the schools. The state government won't give the board money and it must meet a payroll of nearly $2 million Nov. 28.

Attorney General Jack Gremillion appeared before the court to represent dozens of officials who had been ordered to show cause why they shouldn't be permanently restrained from meddling with the schools. Gremillion moved to dismiss the three cases in question—all orders restraining virtually the entire state government—because the state no longer recognizes the court in integration matters.

U.S. attorney M. Hepburn many said it was a "grave misconception" that a state can "put itself out of reach of federal law."

"The ultimate challenge was the war between the states." He said "It would appear that the civil war had answered the question in favor of the federal government.

# EDUCATION COST UP IN LOUISIANA

The Times-Picayune
New Orleans, La.
Nov 20-60

## Mississippi Percentage Is Tops in Southeast

Louisiana's state and local governments last year spent some $326 million for educational purposes, the 16th largest amount in the United States, according to the New Orleans field office of the U. S. department of commerce.

The amount is $286 million, or 723 per cent, more than was spent in 1942, the office said.

Total expenditures in 1959 were about $103 per capita for the state's population, 18th among all states.

Reporting the results of a study of bureau of census figures on state and local government spending in 1959, Edwin A Leland, New Orleans field manager for the commerce department, said a total of $1,527,100,000 was spent on education in Arkansas, Louisiana, Oklahoma and Texas.

Mississippi state and local governments spent $176.2 million in 1959, which was $154.9 milion more than in 1942. The per capita amount spent in Mississippi was about $81, whereas in 1942 the per capita figure had been only $9.62.

This percentage advance in education spending in Mississippi was the largest in all southeastern states, Leland said.

By comparison, Delaware spent $150.60 per capita on education in 1959, highest in the nation. Kentucky, the lowest, spent $64.77 per capita.

14d(1) 1960

NOV.1960

LOUISIANA NEW ORLEANS TEACHER PAYROLLS

# Louisiana Halts Teacher Payroll

Bham Post-Herald

Bham Ala

## New Orleans Asks For 'Free' Teaching

Wed 11-23-60

NEW ORLEANS, Nov. 22 (UPI)—The superintendent of New Orleans' newly-integrated schools today had to ask his teachers to work for free because he can't get the money to pay them.

School Supt. Dr. James F. Redmond announced today that the $2 million payroll due tomorrow to 4500 employes—mostly teachers—must be "withheld" indefinitely.

Redmond said the only hope was that Gov. Jimmie Davis would "rise above the noisy emotions" of state legislators and release state funds to keep the city's school system running.

The State Legislature, so disgruntled over integration of two elementary schools by four Negro girls that it has tried repeatedly to fire Redmond and the school board, meets again tomorrow. It will reportedly consider giving the school board enough money to pay the teachers, but it was expected to have strings attached.

One report was that a bill would be introduced to pay the teachers, providing they refuse to teach integrated classes.

The schools are empty this week for teacher's conventions in Baton Rouge and the Thanksgiving holiday.

Dr. Redmond said today that withholding a school payroll is "unprecedented in state history. This reflects negatively on the state, and not on Orleans Parish (County)." Most of the system's funds come from the state normally.

Redmond said he considers the payroll "a normal and business obligation for service already rendered."

He asked the teachers and other employes to show up at their posts Monday when school begins again. "It is hoped that at this time we will be able to give them specific information regarding salaries owed them."

"As of this moment, banks can be of no assistance," Redmond said. School officials said earlier that banks were balking at issuing the customary loans because they couldn't be sure who is running the schools. The school board, in effect, has been running the schools, but the state insists it has fired the board and it is running the schools.

14d(1) 1960

LOUISIANA

DEC.1960
NEW ORLEANS
$2,500 TRUST FUND FOR 6 PUPILS

# $2500 Trust Fund Set Up For 6 New Orleans Pupils

Journal & Guide Norfolk, Va.
Dat: 12-17-60
P. 10

NEW YORK — A $2,500 trust fund is being established by the board of trustees of the National Urban League as an investment in the future education of six children — four Negro and two white — now attending the two schools involved in the current integration controversy in New Orleans.

This announcement of the Trustees action, taken at their last meeting at League Headquarters, 14 East 48th Street, New York City, was made simultaneously Dec. 13 in New York by Henry Steeger, League president, and by national executive director Lester B. Granger in New Orleans, in addressing a 'Campaign Victory Meeting" of the Urban League of Greater New Orleans.

**THE PRINCIPAL** and interest of the fund will be available to any and all of the six children who are interested and are eligible 12 years from now and who are accepted at an accredited college.

The National Urban League, an interracial organization devoted to increasing opportunities for Negroes and bettering race relations in America, is celebrating its 50th anniversary this year.

# School Plan In Maryland Is Restudied

The Washington Post
Washington, D.C.

BALTIMORE, May 10 (AP)—A Federal judge may review Harford County's controversial stair-step school integration plan and it could result in complete desegregation before the 1963 target date.

Chief Judge Roszel C. Thomsen made the comment yesterday as he took the case of a 13-year-old Negro junior high school pupil under advisement.

Counsel for the student, Alvin D. Pettit of Aberdeen, argued before Judge Thomsen that the gradual desegregation plan approved by the Judge in 1957 is working a hardship on the boy.

Thomsen said he was reluctant to reconsider what appeared to be a reasonable compromise plan which had been approved by higher courts. But he was impressed with the argument that administrative details of transferring Negro pupils to other schools had not been as great as he first imagined.

He also said he was surprised to learn a screening board acted on tests that were two or three years old.

Alvin's father, George D. Pettit, is a civilian electronics engineer for the Army at Aberdeen Proving Ground. He said he sent his boy to a junior high school in Baltimore because Alvin was not getting a completely adequate education at the Negro school in Harford County.

attorneys for a 26 - year - old Calvert County School teacher who charges that the principal and other officials of the school where he taught, wrote libelous statements about him.

Kenneth A. Carter, 135 Rhode Island Ave., N.E. Washington, a teacher at Brooks High School in Prince Frederick, charged in his petition that Horace G. Funn, principal of Brooks, Robert Jefferies, vice principal, and Fletcher Ward, guidance councellor, wrote letters to the superintendent of schools and the supervisor of high school education and labelled him a "troublemaker" and a "vulgar man."

He charged further that the school principal and company wrote to the school heads that he made obscene and vulgar remarks to a female student and that they told the student's mother that he has always been "fresh" and that "we're going to get rid of him for good."

* * *

MR. CARTER, a Maryland State College graduate said that as a result of these statements, he has been dismissed from his job and has suffered personal injury which resulted in medical treatment.

Representing Mr. Carter are Richard Thompson of Washington and Dallas Nicholas of Baltimore.

# Teacher asks $225,000 in libel suit

The Afro-American
Baltimore, Md.
Sat. 6-25-60

BALTIMORE

A libel and slander suit totaling $225,000 has been filed in Federal Court here by

# Will county hire certified teacher?

Afro American
Baltimore, Md.
Sat. 8-27-60

## Teacher

BALTIMORE

"Ever since they have started integration in Baltimore County, they have been closing down colored schools.

"The teachers have been sent to Banneker in Catonsville, Bragg in Sparrows Point and Fleming or Turner in Turner Station.

**"They did not have positions at these schools for all these teachers so they made jobs.**

"The principals from the colored Sparks Elementary and Larley Elementary are now at Fleming school acting as special guidance counselors teaching retarded children.

"No colored elementary teacher has been put in a white school.

* * *

MRS. EMILY HARRIS of Towson was telling the AFRO of how the Baltimore County School Board had allegedly refused to hire her, an officially certified teacher for Baltimore County, after she requested a return from maternity leave.

**Mrs. Harris, a 1953 graduate of Bowie State Teachers College, had been teaching in Baltimore County six years.**

She went on maternity leave in October, 1959.

"When I left, they did not hire a colored teacher for my 34 children. They distributed my fifth graders among the other teachers," Mrs. Harris said.

Mrs. Harris said she knew white uncertified teachers were being hired and that some colored teachers had been transferred to formerly all white junior and senior high schools.

However, Mrs. Harris stated, "although the elementary schools in Baltimore County are being slowly integrated, no colored teachers have been hired to teach in these formerly all white schools.

* * *

"I WROTE my letter in June to the Baltimore County Board of Education and told them I would be available in September.

**"I received an answer stating the Board had reactivited my file and should there be an opening in September, they would consider me.**

"The other day, I heard the plea for teachers over the radio and television.

* * *

"I CALLED the Board of Education and was told they were not hiring any colored teachers." Mrs. Harris said.

"There is no such policy.

## Superintendent

The Afro-American
BALTIMORE

"If she (Mrs. Emily Harris) had come to me it would have been straightened out.

**"She would have gotten a fair hearing. Teachers always have.**

Baltimore, Md.

"I was really surprised at Mrs. Harris. She wouldn't have had a bit of trouble. She only lives six blocks from my office."

Dr. Edward G. Stapleton, superintendent of the Baltimore County schools and secretary of the board of education, was answering the charges made by Mrs. Emily Harris of Towson that the Board refused to rehire her because she was colored.

Sat. 8-27-60

* * *

DR. STAPLETON declared that he did not know about elementary schools but that colored teachers had been transferred to formerly all white junior and senior high schools.

"I have never known a case where a teacher went to a newspaper to make charges. In all my years as superintendent, I have a reputation for fairness," Dr. Stapleton declared.

Dr. Stapleton declared that when Mrs. Harris left the system in 1959, she "resigned to get married and raise a family. She did not ask for a maternity leave."

He also stated that there were all kinds of certified teachers. Some with degrees, some with two, three and four years of college.

# St. Marys Opens School to Negro

The Washington Post
Washington, D.C.
10-18-60

LEONARDTOWN, Md., Oct. 17. (AP)—The late registration of a Negro girl in Frank Knox Elementary School of St. Marys County leaves only eight Maryland counties still segregated, Department of Education records showed today.

The Department earlier had expected nine counties to continue separate schools for white and Negro pupils this term.

St. Marys had admitted two Negroes to a previously all-white school two years ago but returned to a segregated status last year.

The Negro pupil admitted to previously all-white Frank Knox Elementary is the daughter of a man stationed at the Patuxent Naval Air Test Center. The man was transferred to the base too late for his daughter to register at the school during the regular registration period.

14d(1) 1960

MASSACHUSETTS

# Negroes Are Left Out In Segregated School System

Cambridge, Mass. — Regardless of how much money is appropriated for education, "the best in education is not obtainable by Negroes in a racially segregated system," Dr. John A. Morsell, assistant to the executive secretary of the NAACP, observes in an article in the current issue of the Harvard Educational Review, a professional quarterly published for the Harvard University Graduate School of Education.

"The abandonment of school segregation," he continues, "thus becomes a cardinal element in any projection that calls for maximum development and employment of the country's human resources. But htis logic of history, justice or humanity which we invoke finds hard going against the entrenchments of tradition, self-interest and monolithic political power which the South has arayed against racial change."

Denial of equal educational opportunities imposes upon Negroes "ever wider and more crippling disadvantages in the competition of adult years. The disadvantages are cumulative for individuals and for generations," the NAACP spokesman points out.

By whatever test, he asserts, "the education available to Negroes will be found to be inferior on the average to that availablet o whites. This means that no effort to bring the nation up to the required standards will genuinely serve the purpose unless it incorporates special measures to ensure that the present Negro-white educational gaps are eliminated and that the conditons which produced them no longer exist."

Dr. Morsell's article, entitled, "Schools, Courts, and the Negro's Future," is one of eight contributed to this special measures to ensure that the present Negro-white educational gaps are eliminated and that the conditions which produced them no longer exist."

Dr. Morsell's article, entitled, "Schools, Courts, and the Negro's Future," is one of eight contributed to this special issue of the Harvard Educational Review which is devoted entirely to the subject of Negro education in the United States.

# Integrated Schools With Large Negro Enrollment Inferior to Schools, Detroit Medic Says

### Dr. Horace F. Bradfield Says Race Children And Parents Treated With Acts of Gratuitous Insult

## School Boundary Lines Changed

DETROIT.—(ANP)—Accompanying the fight for school integration in the South is another in great northern cities for equal education of Negro children.

The charges that Negro children in northern cities do not get the same education of white children generally is based on conditions found in schools in heavily populated Negro areas where the coloration of the community rather than law leads to segregated schools.

The issue which has been widely discussed in such cities as New York and Chicago is alive here, too.

Just last week a physician charged that some Negro as well as some white teachers discriminate against Negro pupils in Detroit public schools.

**Medic Makes Charge**

Dr. Horace F. Bradfield, a physician, said that pupils of his race and their parents are "treated with acts of gratuitous insult and contumacy by inefficient, uninterested teachers."

Bradfield, a member of the Citizen Advisory Committee on Equal Educational Opportunities, made his charges at a committee meeting.

"All Negro children in the Detroit area are denied equal educational opportunities," he told the committee.

Bradfield said later that although discrimination is not as widespread among Negro teachers, "it is practiced by some teachers of both races."

**Hit By Boundary Lines**

Many children "by virtue of their color," Bradfield told the committee, are excluded from some schools by changes in school boundary lines.

Children should have free access to any school where their parents choose to send them," he said. "A school district should be laid out so that children could attend a school near home, or some other if their parents preferred it."

Such a policy, established when the late Frank Cody was superintendent of schools, has been abandoned, he said.

**Top-Level Administrators Needed**

To assure all children equal educational opportunities, Bradfield told the committee, "there is a necessity for top-level predominantly Negro administrators.

Bradfield's charges touched off debate among committee members.

Herbert S. Eiges, Mackenzie high school teacher, contended that most Detroit schools have "an open door policy" for all students.

"I can't speak for Detroit's 300 schools, but I can for my own," he told the committee.

"Although the school has a mixed population, all students get equal treatment. The Negro student is given the same educational opportunity as the rest. There are no discriminatory policies."

## Michigan City Has First Negro Principal

GRAND RAPIDS, Mich. — (ANP) — Joseph McMillan became the first Negro named to a school administrative post last week at a meeting of the city Board of Education.

School Superintendent Benjamin Bruinsma made a recommendation that the board to hire McMillan, a 6th grade teacher, as principal of the Sheldon Elementary school.

He received his A. B. degree from the University of Louisville in 1950 and the M. A. from the University of Michigan in 1958, while an instructor in the Grand Rapids school system.

# 24 Students Can't Find School to Take Them In

DETROIT, Sept. 1 (AP).—The plight of 24 suburban Negro students who have no high school in which to enroll next week drew the attention of top Michigan officials today.

The 24 were among the 60 who were graduated in June from elementary school in the little Detroit suburban community of Roal Oak Township.

They want to continue their education, but none of the surrounding communities—Detroit, Ferndale or Oak Park—have been able to work out arrangements to take the students into their schools.

The basic problem is that Royal Oak Township is an untidy remnant of World War II —a shantytown. The framework of the community was set up by the Federal Government which threw up scores of flimsy barracks to house migrant workers needed for defense industries.

When peace came, the workers moved on. Today, the community—less than half a mile square—has about 8,000 residents, practically all of them Negroes. More than half of them are on relief and township officials are hard pressed to get funds to operate the community.

Detroit officials, citing fruitless attempts to collect $125,000 in overdue tuition money from the township, closed the doors of its school system to Royal Oak Township students for the school year starting next week.

Oak Park and Ferndale said they had no room; that classroom schedules had been drawn up weeks ago and teacher assignments made.

Some Negro leaders said the failure to find classroom space for the 24 was based on racial prejudice. School officials in Detroit, Oak Park and Ferndale denied this.

Lynn S. Bartlett, State superintendent of public instruction, said the matter basically was a local one.

Today he was joined by Gov. G. Mennen Williams in a scheduled meeting with various school and township officials involved to see if they can find a solution.

## Negroes Enter, Whites Boycott Detroit Schools

DETROIT (AP) — Three hundred Negro children were peacefully integrated into three grade schools Monday. Only a handful of protesters showed up.

However, more than 1,300 white pupils stayed home again as a result of a parents' boycott protesting the transfer of the Negro children from two other crowded schools.

Absenteeism in the three boycotted schools of a middle-class residential area was reported as 1,354—about half of the total predominantly-white enrollment of 2,563. Two of the schools had had only white children. The third had a few Negroes.

The Northwest Parents Association called a three-day boycott last week protesting what it called forced racial integration. About 1,200 pupils remained away from classes Friday. The boycott is to conclude Tuesday.

Only a few protesting parents watched Monday's police-guarded transfer of the Negro children. Buses brought the children to the schools.

At Guest Elementary School 20 white and 10 Negro adults argued with each other. But that was the extent of their dispute.

# Detroit whites boycott three mixed schools

DETROIT, Nov. 1 —(AP)— Three Northwest Detroit elementary schools were integrated yesterday despite the protests of white parents.

Only a handful of angry, shouting pickets greeted the seven busloads of 300 Negro students who were attending classes at their new schools for the first time.

**The Negro students were transferred from two overcrowded schools to the Guest, Noble and Monnier schools, which were predominantly white. Detroit schools are integrated, but because students normally attend schools in their own neighborhoods, many schools are predominantly white or Negro.**

A boycott, called by the Northwest Parents Assn., kept more than 1300 pupils at home. This is about half the total enrollment of 2563. Friday, the first day of the boycott, about 1200 pupils were absent. The boycott is to end tomorrow.

ONLY A FEW protesting parents watched yesterday's police guarded transfer of the Negro children. At Guest Elementary School, 20 white and 10 Negro adults argued with each other, then went home.

Jean Ernts, Monnier School principal said many parents had called saying they kept their children away from school for their safety only—and wanted no part in the controversy.

## CHURCH GROUPS BACK TRANSFER

### Rap Boycott of Classes by White Children

DETROIT (AP)—Three major church groups got behind the board of education's transfer of Negro pupils from their overcrowded public schools to other schools where most students are white.

The church groups denounced a parent-inspired boycott of classes by more than 1000 white children.

Starting Monday, approximately 330 Negro children are to leave two predominately Negro schools and attend three others in the northwest section of the city.

**SUPPORT ACCORDED**

Only one of the three schools has any Negro pupils at present and it is predominately white. Parents called for a three-day boycott of protest Friday, Monday and Tuesday. They contend that personal liberties have been infringed upon.

On Friday the boycott kept half the classrooms of the three schools empty.

The three church groups, of as many religious faiths, supported the board of education in individual statements. The three were the Detroit Council of Churches, the Archbishop's Committee for Human Relations, and the Jewish Community Council of metropolitan Detroit.

**PRAISES SCHOOL BOARD**

The Jewish Community Council praised the board for "manifest integrity and fairness" and called the parents' opposition "certainly unrepresentative of the attitude of the overwhelming majority of Detroit's citizens."

"Legal segregation, or any form of compulsory segregation," said the Catholic (archbishop's) group, "in itself and by its very nature imposes a stigma of inferiority upon the segregated people. . . We cannot reconcile such a judgment with the Christian view of man's nature and rights."

The Council of Churches said it was the duty of Detroit citizens to support the board of education. It said "this entire situation is a reflection of the inadequacy of our Christian witness and our common failure to solve our problems in a Christian and democratic way.

# Detroit Parents Boycott 'Integrated' Schools

DETROIT — (UPI) — Angry parents Friday, Oct. 28, kept more than 1,200 children out of classes at three predominantly white schools to protest the transfer of 314 Negro pupils to the schools.

Parents had threatened a three-day boycott earlier this week when the Detroit board of education refused to call off the transfer of the Negro students from two overcrowded grade schools to the Monnier, Guest and Noble schools.

The principal's office at Monnier reported 465 of 690 students were absent from classrooms Friday morning.

Officials at Guest school said 325 pupils were missing from classes.

Monnier and Guest presently are all-white schools.

The absent figure was 434 at the Noble school, which had only a handful of Negro students in its enrollment.

The transfer of Negro students from the predominently-Negro Brady and McKerrow schools is not scheduled to take place until Monday.

But some 2,000 parents said they were starting the boycott Friday to emphasize their displeasure at the move.

The 314 Negro students were to be bussed to the three schools where there is no overcrowding problem.

Parents of pupils at Monnier, Guest and Noble had made two demands of the board of education. They demanded that no Negro students be transferred at the kindergarten level, and that the Negroes who are transferred be segregated from white pupils.

Superintendent of Schools Samuel M. Brownell told the parents Negro kindergarten students are entitled to go to classes which are not overcrowded, just as are white students.

He said classroom organization would be left up to principals of the individual schools.

Brownell said last week classes were being conducted "as usual at Monnier, Guest and Noble" and pointed out legal action could be taken against parents who keep children out of school for reasons other than illness.

The parents planned to continue the boycott through Tuesday.

## NEGRO PUPILS BRING BOYCOTT

### Shift of 314 in Detroit Key to Absences

DETROIT (UPI)—Attendance at three Detroit grade schools was cut in half by a boycott Monday when 314 Negro pupils were transferred to the schools because of overcrowding in all-Negro schools nearby.

Parents, who encouraged their children to skip classes in a protest of the transfer, milled around one of the schools when classes started Monday morning but soon dispersed and did not reappear when afternoon classes started.

Officials at Guest, Noble and Monnier schools said there were no incidents when the Negro pupils entered classes at the schools for the first time Monday.

But Walter Thompson, assistant principal of the Guest school, said between 50 and 75 parents, including some Negroes, milled around the entrances of the school Monday morning. Police said about 20 adult whites and 10 adult Negroes engaged in a loud and hotly contested debate at a side door of the school Monday morning but left shortly after the pupils were inside.

Thompson said the Negroes were not immediately integrated into previously all-white classes "but both races ate together at noon and there was nothing out of the ordinary."

Attendance at Guest and Monnier schools, which had been all-white previously, was down slightly at noon but officials of Noble, which had a few Negro students previously, reported absenteeism was about the same in the morning and afternoon. No separate attendance roll was taken at Noble after the noon recess. In the morning, the school reported 346 of its 1147 pupils were absent.

Guest officials said 62 per cent of its pupils were absent in the morning and 68 per cent were absent in the afternoon. At Monnier, 63 per cent of the students were absent in the morning and 65 per cent in the afternoon.

The boycott, called by the Northwest Parents Association, was scheduled to continue Tuesday. It started Friday when superintendent of schools Samuel Brownell announced his intention to transfer the Negroes to the predominately-white schools in order to relieve crowding at Brady and McKerrow schools.

## INTEGRATED, SEGREGATED PLAN TRIED

DETROIT (UPI) — Some 314 Negro pupils returned to their new schools for the second time today in a tension-eased atmosphere.

Attendance at the Guest, Noble and Monnier schools remained cut in half, however, by protesting white parents who kept their children home in an effort to prevent integration.

The boycott started Friday and continued Monday. The boycott was scheduled to end after today's session.

No incidents marked the arrival of the Negroes at the new school Monday. Though many anxious parents milled outside the building.s.

The Negro students are being kept in separate classrooms, so they won't disrupt classes already in progress, but share the same lunchroom, assembly and gymnasium facilities with the white students.

When the new semester starts in February, the Negroes will integrated with the existing classes, superintendent of schools Samuel Brownell has announced.

Officials at Guest and Minnier said nearly two third of their pupils stayed home Monday, while Noble, which had a handful of Negroes students previously, reported attendance down one third.

## Move to Transfer Negro Pupils in Detroit Is Boycotted by 1200

DETROIT (UPI) — A move to transfer 314 Negro students to three predominantly white grade schools in Detroit Friday resulted in a parent-inspired boycott by more than 1200 students.

The parents had warned superintendent of schools Samuel M. Brownell earlier this week they would keep their children out of classrooms for three days if the transfer of Negro students was carried out.

The transfer of the students from two overcrowded schools which are predominantly Negro to the Guest, Monnier and Noble schools isn't scheduled until Monday.

But the boycott began Friday after Brownell told the parents he had no intention of blocking the transfer, or acceding to demands that Negroes be segregated if the transfer was undertaken.

Absenteeism was more than 50 per cent at all three schools. Guest reported 325 students absent; Monnier, 465 absent, and Noble, 434 absent. Guest and Monnier presently are all-white schools and Noble has only a handful of Negroes.

Brownell said the decision to transfer the Negro students from the overcrowded Brady and McKerrow schools to Guest, Monnier and Noble was made because the predominantly-white schools had light classloads.

An estimated 2000 parents had pledged support of the boycott and it was expected that absenteeism will be even higher next Monday when the transfer is effected.

Brownell said he regretted the action by the parents and warned that legal action could be taken against any person who keeps a child out of school for reasons other than illness.

## Negroes' Transfer Protested

DETROIT — (AP) — The parents of children at three predominately white Detroit schools have voted to keep their youngsters home to protest the transfer of 312 Negro children to the schools.

About 2,000 parents met and voted to keep their children home Friday and next Monday and Tuesday from the Guest, Monnier and Noble Schools. The Guest and Monnier schools are all-white. The Noble has a few Negro students.

**They protested the transfer of the Negro children from the Brady and McKerrow Schools to the schools attended by their children. The board of education said the Negroes were being transferred because of overcrowding at the two schools. All the schools involved are on the elementary level.**

Robert P. Williams, 40, an insurance agent and spokesman for the protest group, The Northwest Parents Club, said "we are here as parents, not as property owners. We talk here from the standpoint of our children who are worth more than property.

"We want equal education for everyone. We are not here to deny any child equal education."

An unidentified Negro woman at the meeting said neither the whites nor the Negroes were happy with the situation.

School officials declined comment on the meeting and protest measure.

Detroit schools are integrated. The Guest, Monnier and Noble Schools, however, are in predominately white neighborhoods.

## School Boycott Believed Ended

DETROIT (UPI) — Attendance was back to normal Wednesday at three grade schools where white parents had staged a protest boycott because of transfer of Negro pupils to the predominantly white schools.

Officials believed the return to normal attendance signaled the end of the boycott which began last Friday and continued through Monday and Tuesday as some parents kept children home. Absences had risen over the 60 per cent mark during the boycott of the Monnier, Noble and Guest schools.

The boycott began when school officials decided to send Negro pupils from overcrowded schools by bus to Monnier, Guest and Noble.

Previously Monnier and Guest had all white pupils and Noble had only a few Negroes.

14d(1) 1960

MICHIGAN

# SCHOOLS MERGED TO END A DISPUTE

The N.Y. Times

## Problems of Negro District Near Detroit Seem to Be Resolved for Present

New York N.Y.

By DAMON STETSON

Special to The New York Times.

DETROIT, Nov. 12—The immediate problems of the all-Negro Carver School District in Royal Oak Township appear to have been resolved, but there may be more difficulties ahead.

The Oak and County Board of Education decided by a unanimous vote this week to dissolve the poverty-stricken school district and attach it to the neighboring Oak Park District.

"The board believes its action is the best that could be taken under Michigan law," the board said in a statement. "It believes that the people of the Oak Park district and the people of the former district of Carver can work together to provide proper instruction for the children of the combined territory."

The board's decision ended a series of developments that began earlier this year when Detroit, which formerly admitted the Carver district's secondary school pupils to its schools, notified Carver authorities that the city would be unable to accept this year's class of ninth graders because of overcrowding.

Royal Oak township, composed of hastily erected World War II barracks and deteriorating homes, has not had a high school of its own. Oak Park and Ferndale, both nearby, originally indicated that their schools were crowded and that they could not take in the Negro students.

For a time, it appeared the ninth graders would have no school to attend this fall. Then the Carver board decided to set up makeshift classes for them in the Carver school that they had been attending.

Meanwhile, Gov. G. Mennen Williams stepped in and said that the impoverished district was ill-equipped to carry out a high school program. He proposed that the district be dissolved and attached to a neighboring one.

Under Michigan school law, however, some complicated legal maneuvers were necessary before the school district could be dissolved.

First, the Carver school board resigned. Then a new school election was held, but no one ran or was elected to the board. Finally, the county board, faced with an ungoverned school district situation, dissolved the district and attached it to Oak Parks.

The Carver district embraced a half-square-mile area and just the one school—a cement block structure of sixty rooms. There have been 1,081 students at the school and forty-three teachers. In addition, some 170 students from the district are still attending a Detroit high school.

### Problems Beset District

The district was created during World War I to provide school facilities for the children of families living in temporary war housing units built by the Federal Government for defense workers.

But the district has had no solid tax base and has been beset by financial problems. There have been various scandals, instances of school fund mishandling, payless pay days for teachers and one grand jury investigation of the district's school affairs.

Absorption of the district into the Oak Park system has been considerd by Oakland County educational officials as the best solution for the difficult situation. But the merger of the two districts has raised additional problems for Oak Park.

Among these is a $90,000 tuition debt owed by Carver to the Detroit Board of Education. Oak Park residents have also feared that the merger would raise their tax load and perhaps deter the industrial growth of their community.

Dr. Arthur Parkllan, president of the Oak Park Board of Education, said two changes in student or teacher assignments were planned immediately to meet on Monday to decide on a course of action in connection with the numerous problems stemming from the forced merger of the two districts.

DETROIT STUDENTS BOYCOTT CLASSROOMS. —Miss Edna Bryanton, third grade teacher at the Guest school in Detroit, surveys her near-empty classroom as only eight pupils out of 32 reported for classes last Friday. The high absenteeism was attributed to angry parents who are keeping their children out of school in protest over the transfer of 314 Negro students into three predominantly white Detroit schools. — UPI Telephoto.

# Mississippi Won't Enforce U.S. Order, Official Says

JACKSON, Miss. (AP) — Acting Gov. Paul Johnson said Thursday neither Mississippi or its subdivisions would ever help enforce an invalid decision of a federal court to integrate its schools.

Johnson, in a statement, said police first in Little Rock and now in New Orleans have sought "to enforce the invalid order of a federal court to the point of fighting their own people. This intolerable situation will never happen in Mississippi."

He said the compact under which Mississippi entered the Union in 1817 reserved for the state the right to regulate matters of public health, morals, education and safety.

"Every member state of the compact has the duty to interpose its sovereignty against any federal agency undertaking to usurp the powers and rights reserved to the states or to the people thereof," he said.

Johnson said the U.S. Supreme Court had no power to pass on the doctrine of interposition because this was "reserved to the states by the compact under which the various states entered the union."

"If we should ever surrender our right to control the local affairs of the state, then a fatal blow would have been dealt all state sovereignty and we will become nothing more than vassal provinces subject to an all-powerful federal government."

Johnson, the lieutenant governor, is acting as governor while Gov. Ross Barnett is in South America.

# States Consider Joint Lawsuits

## Louisiana School Problem Discussed With Officials Of Mississippi

By United Press International

JACKSON, Miss., Nov. 15.— Whether Mississippi should join Louisiana in possible interposition suits against the Federal government was the subject of a secret huddle here Tuesday.

Officials of Mississippi and Louisiana were closeted for two hours in the office of Gov. Ross Barnett discussing whether Mississippi should offer legal help in the New Orleans school integration case.

Acting Gov. Paul Johnson said before the meeting that a representative of the Louisiana emergency legislative session telephoned him Monday night about the conference.

**Interposition Discussed**

He said the idea of Mississippi's intervening in "any interposition or states' rights lawsuits" was discussed in setting up the meeting.

After the conference, Lt. Gov. Johnson said the idea "was just kicked around" but no conclusions were drawn by the five Louisiana and seven Mississippi officials.

"The final decision will be left up to Governor (Ross) Barnett," said Lt. Gov. Johnson. Governor Barnett left Saturday on a two-week tour of South America with some 40 other governors.

Mississippians attending the meeting were Atty. Gen. Joe Patterson, House Speaker Walter Sillers, Senate President Pro Tem George Yarbrough, Senate Finance Chairman Earl Evans and State Representatives Russell Fox of Claiborne County and Thompson McClellan of Clay County— all segregation leaders.

**Delegation Leader**

Leading the Louisiana delegation was Gov. Jimmie Davis' executive assistant, Chris Faser, former Mississippi legislator from Winona.

Others were Louisiana Sovereignty Commission director Frank Voelker Jr., State Senator Kelly Gravolet of St. Bernard Parish and State Representatives R. C. Trische of Assumption Parish and Willie Arceneaux of Arcadia Parish.

Mr. Voelker said Louisiana had filed a lawsuit in a state district court in New Orleans Monday night to enjoin the school board from keeping the integrated schools open.

But he said he understood a Federal court had this suit removed immediately to its jurisdiction. He would not say which, if any, suits Mississippi was considering joining.

**Favors Help**

Mississippi House Speaker Sillers said, "Of course, I'm in sympathy with Louisiana on this. If we could do anything to help them, I'd be in favor of it." But he said whether Mississippi has any grounds for legal action would have to be "determined after further consideration."

Louisiana executive assistant Faser said after the conference that Mississippi had initiated it. When asked about this, Lt. Gov. Johnson said his earlier statement that he had been telephoned by Louisiana was "a misunderstanding." He said "that call was about something else."

# Mississippi Notes Growth During Decade

By JOHN HERBERS
United Press International

JACKSON, Miss. (UPI) — The 1950-60 decade saw Mississippi make her greatest progress in the fields of industry and education.

The prospects look bright for even more progress in the next 10 years provided competent leadership can keep the race issue from disrupting it.

Probably the most dominant influence—at least the most talked about—during the decade was the Supreme Court's 1954 School Desegregation Decision, a decision the state so far has totally avoided.

Mississippi's schools, both white and Negro, were woefully inadequate early in the decade and they were operating under an antiquated system. In anticipation of the Supreme Court's decision the legislature in 1953 revamped the state's public school laws and enacted the school equalization program which included an ambitious building program, redistricting and consolidation.

Financing was not provided until 1955, but even so at the end of the decade more than 70 million dollars in state money and 15 million in local funds had been allocated for new buildings.

In a six-year period the state appropriations for operating public schools more than doubled. Expenditures for colleges and universities increased in almost the same proportion.

**PLEA FOR FUNDS**

At the end of 1959 institutions of higher learning were appealing for emergency funds for more buildings and operating expenses to take care of increased enrollments caused by better common schools. There was a pressing demand for higher salaries for public school teachers and the educational finance commission asked that the bond ceiling be raised from 60 to 80 million dollars to keep school construction going.

The state almost doubled her industrial employment during the decade with establishment of 511 new industries. In 1950 there were 72,972 people engaged in industrial work in the state. In 1959 there were 122,000.

Even so, farm migration was so great that new jobs in town could not prevent a population loss and the 1960 census was expected to show about 100,000 fewer persons than in 1950.

Mississippi, without an industrial history, was not able to attract the heavy industry that went to many other southern states. Officials hoped to correct that in the next decade through greater research and promotion.

State and local expenditures of tax money climbed sharply during the decade as the economy expanded. The 1950-52 state appropriations totaled 138 million dollars. In 1959 the budget commission put in a conservative request for 252 million.

**TAX INCREASES**

There were a number of tax increases on both the local and state levels. The main state tax increase was raising the sales tax levy from two to three per cent to help pay for the school equalization program.

Under three governors—Fielding Wright, Hugh White and J. P. Coleman—politics was stormy as usual. Because of the civil rights issue the state was split on what role to take in national affairs.

Due to White's and Coleman's influence the state remained loyal to the Democratic Party. In 1952 and 1956, however, there was a record Republican vote which Democrats promptly attributed to President Eisenhower's personal popularity.

There was still a strong sentiment for aligning with neither major party and it was anybody's guess as to what course the state would follow in the decade ahead.

Racial incidents following the Supreme Court decision gave Mississippi publicity around the world and stirred up emotions at home. Included were the 1955 Emett Till murder case in the Delta and the 1959 Poplarville lynching.

On the other side of the ledger Mississippi claimed two Miss Americas and many Missippians were elected to national honors.

# Senate Votes School Closing In Mississippi

## New Bill Would Let Local Officials Decide If Action Needed

By KENNETH TOLER
From The Commercial Appeal
Jackson, Miss., Bureau

JACKSON, Miss., April 14.—Authority to close schools facing integration was unanimously given local trustees Thursday in a Senate bill implementing a 1954 constitutional amendment permitting that course as a last resort to prevent mixing of the races.

The bill was steered to passage by Chairman G. E. Williams of the Senate Education Committee whose only explanation was "it does exactly what it says it will." House action remains.

There was no debate on the measure giving local officials that power if they determine it necessary to the best interest of a majority of the children enrolled and in order to "promote or preserve the public peace, order and tranquility of the district."

**Vetoed In 1958**

A similar bill was passed at the 1958 session but was vetoed by former Gov. J. P. Coleman. A companion measure giving the Governor that authority, also approved at that time, was signed into law by former Governor Coleman.

Under the new bill, the board's action will be set out in an order and applicable to "any or all" schools under its jurisdiction. A school will remain closed until three-fifths of the qualified electors in the area involved petition for reopening.

During the closure, salaries of superintendents, principals and teachers will continue to be paid.

Petitions requesting reopening must be signed by qualified individuals who must give their address, occupation, where employed, voting precinct where last voted, whether he is a parent or guardian of a child enrolled and the name of the child or children enrolled. Unless all information is given on the petition, the signature will not be considered valid.

Also approved by the Senate was its bill designed to prevent Negroes living elsewhere and sending their children to Mississippi to be enrolled in school. Welfare Department records reveal many such cases, with the children living with relatives.

**House Passes Bill**

The bill provides that whenever any minor child seeks to enroll he must be accompanied by his parent, natural or adoptive, or his general guardian. That failure authorizes school officials to delay consideration of the enrollment until the law is complied with.

The House approved submission of an amendment to the 1890 state Constitution in the June 7 election stemming from a racial issue.

The proposed amendment, which remains for Senate action, liberalizes qualifications for grand and petit jurors. Presently, a person to be eligible for jury service must be a qualified elector. That requirement resulted in recent reversal of a death sentence given a Negro for murder of a white woman because no Negroes were qualified for jury service in Carroll County. No Negroes were registered voters in the county.

The amendment would make "freeholders," those owning and living on the property, eligible for jury service. It was approved 121 to 1, with Representative Joe Wroten of Washington County casting the only negative vote.

# Negro School's Dedication Big Thursday Event

## Governor, Negro Educator Slated As Speakers

MORTON, Miss. (Special) —The $325,000 Bettye Mae Jack Negro High School will be dedicated tomorrow with Gov. Ross Barnett delivering the principal address at ceremonies tomorrow afternoon.

Dr. Laurence C. Jones, Negro founder and president of Piney Woods Country Life school for Negroes will speak during the morning session, which is limited to Negroes.

The new school structure includes a modern cafeteria, combination gymnasium and auditorium, with a seating capacity of 650 for sports events and 1,000 for other events. A modern agricultural shop is also included in the structure.

Approximately 3,000 Negroes are expected to attend the morning session.

More than 1,200 white persons are expected to attend the afternoon session, which begins at 2 o'clock.

Jack N. Stuart will serve as master of ceremonies for the afternoon program.

B. C. Rogers of Morton, an honorary colonel on Barnett's staff, will introduce the Governor.

A complimentary dinner will be served to Negro visitors at the school.

# New Negro School Will Be Dedicated

## Clarksdale Ceremony To Be Held Tomorrow

Special to The Commercial Appeal

CLARKSDALE, Miss., May 13.—Ten years of improvement in Negro school facilities in Clarksdale will be celebrated at 3 p.m. Sunday with the dedication of the new $435,000 Booker T. Washington Elementary School.

State Supt. of Education J. M. Tubb of Jackson, Miss., will deliver the dedicatory address.

In the past decade buildings and facilities costing about $865,000 have been added to the city Negro school system.

Included in the improvements are the $300,000 W. A. Higgins High School, and $120,000 in additions to the Myrtle Hall School and Higgins High School.

During the past 10 years expenditures for Negro schools in Clarksdale, excluding debt service, more than quadrupled from 61,549 to $271,921, while enrollment grew from 1,510 to 2,282.

W. A. Higgins, veteran director of the Clarksdale Negro schools, will preside at the Sunday afternoon dedication.

Clarksdale City schools Supt. Robert M. Mayo will introduce Mr. Tubb, and Asst. Supt. C. H. Carruth will introduce board members and special guests.

Tom T. Ross, president of the board of trustees, will make the presentation of the new building and Principal Mary Nichols will make the acceptance address.

AT CLARKSDALE

# New Negro School Dedication Is Set

CLARKSDALE, Miss. (Special) — Ten years of improvement in Negro school facilities in Clarksdale will be celebrated at 3 p. m. Sunday with dedication of the new $435,000 Booker T. Washington Elementary school.

State Supt. of Education J. M. Tubb of Jackson will deliver the dedicatory address.

In the past decade buildings and facilities costing about $865,000 have been added to the city Negro School system.

Included in the improvements are the $300,000 W. A. Higgins High School, and $120,000 in Additions to the Myrtle Hall school and Higgins High school.

During the past ten years expenditures for Negro schools in Clarksdale, excluding debt service, more than quadrupled from $61,549.30 to $217,921.90, while enrollment grew from 1,510 to 2,282.

W. A. Higgins, veteran director of the Clarksdale Negro schools, will preside at the Sunday afternoon dedication.

Clarksdale City Schools Supt. Robert M. Mayor will introduce Tubb, and asst. Supt. C. H. Carruth will introduce board members and special guests.

Tom T. Ross, president of the board of trustees, willl offer presentation remarks on the new building, and principal Mary Nichols will make the acceptance address.

WON RESPECT OF WHITES

# Veteran Negro School Principal Ends Service

TERRY, Miss. (Special) — W. H. Garrett, who has served as principal of the Negro Consolidated School in Terry for the past 26 years, retired at the close of the school year.

Among the affairs honoring Prof. Garrett at the close of his career in the local school was a special program at the school by students and members of the faculty. Earlier in the year he was honored by "W. H. Garrett Day" at Clinton when Hinds County Negro teachers paid tribute to his contributions to the schools of his race.

Garrett has been teaching for 44 years with first 18 being spent in the schools of Alabama and the balance at Terry.

Garrett has the respect both of his own race and the white people of the community for his exemplary character and his wise leadership which has contributed greatly as an inspiration to the members of his race in this section.

Harold McClain has been elected as successor to Pro. Garrett. He has been a member of the faculty of the Negro school here for several years.

W. H. GARRETT
Ends School Career

RAIN DOESN'T INTERFERE

# New Morton Negro School Is Dedicated Thursday

Dr. Laurence C. Jones, the Negro president and founder of Piney Woods Junior College, was the speaker at the morning session.

Jones praised Bettye Mae Jack and the Negro citizens of Scott county for their work in building the school. Jones also commended the white citizens of Scott county for their initative in obtaining the school.

Barnett was introduced by B. C. Rogers, one of his fathers colonels of Morton.

The architect of the building, Raymond Burchett of Jackson, was praised by Stuart for the planning of the building.

MORTON, Miss. (Special) —The $325,00 Bettye Mae Jack Negro High School was dedicated in the rain yesterday but 3,500 Scott county Negroes and 500 white citizens attended the morning and afternoon dedication services.

The new Negro high school, considered one of the finest in the state, was named for Bettye Mae Jack, a prominent Negro woman educator, who is the Jeanes Supervisor of Scott county.

The afternoon speaker, Ross R. Barnett Jr., who spoke in absence of his father, Gov. Ross Barnett. Barnett told the overflow crowd in the auditorium-gymnasium that he had never seen a "finer school building anywhere."

He told the Negro faculty they have a tremendous opportunity to build character in the youngsters they instruct.

Barnett stressed cooperation between the races in Mississippi.

He said, "the door to my fathers office is always open to any of you at any time."

Master of ceremonies at the afternoon session, Jack Stuart of Morton, a member of the Scott county board of education, said that white and Negro citizens of the county should work together to assist in the education of both races.

**'NOBLE WOMAN'**

J. W. Derring, Negro principal of the school, introduced Bettye Mae Jack as a "noble woman who was imbibed with a spirit of kindness."

The construction of the building was handled by the B. C. Rodgers Construction Company of Jackson.

Music during the afternoon program was presented by the Bettye Mae Jack High School band and chorus.

A tour for white citizens of the county was conducted following the dedicatory ceremonies yesterday afternoon.

# Miss. Board Drops Teacher Of 10 Years

CHARLESTON, Miss. — The school board has refused to renew the contract of Mrs. Addie M. Gray, a teacher with 10 years' experience and a graduate of Rust College. No reason was given.

However, it was noted that her husband, Grafton R. Gray, was among eight citizens from five Southern states who testified before the Volunteer Civil Rights Commission in Washington last January.

They told the V.C.R.C. and some members of Congress about widespread violations of voting rights and harassment of prospective voters in Mississippi, Louisiana, Alabama, Tennessee and North Carolina.

GRAY also related how he had been fired as a teacher in Tallahatchie County after serving 12 years. "Many of us are afraid to register because of fear of loss of jobs, credit, and violence," he told the V.C.R.C.

Aubrey W. Williams, Montgomery, Ala., president of the Southern Conference Educational Fund Inc., wired Gordon Tiffany, Washington, staff director for the U. S. Commission on Civil Rights, and urged him to investigate the firing of Mrs. Gray.

Williams asked Tiffany to "ascertain to what extent she is being punished because of the activity of her husband in behalf of voting rights for Negroes."

# Mississippi Alone Free Of Race Suits

NASHVILLE, Tenn. (AP) — Mississippi is the only state that has neither desegregated public schools nor has a suit "seeking to change the situation," Southern School News reported today.

The publication, in its monthly report, said Negroes filed three new suits in federal courts last month, seeking to desegregate public schools for the first time in Birmingham, Ala.; Volusia County, Fla.; and Caswell County, N.C.

Under Coleman, the commission was not satisfactory to council leaders and the two groups were usually at odds. That the picture has changed considerably is indicated not only by the $20,000 but by a commission statement praising the council's forum and saying it "merits the active financial support of all taxpaying Mississippians, "patriotic" and otherwise, through the citizens councils-flavored sovereignty commission.

# Mississippi only state not faced with mixing suits

NASHVILLE, Tenn., July 2— (AP) —Mississippi is the only state that has neither desegregated public schools nor a suit "seeking to change the situation," Southern School News reported Saturday.

The publication, in its monthly report, said Negroes filed three suits in federal courts last month, seeking to desegregate public schools for the first time in Birmingham, Ala.; Volusia County, Fla., and Caswell County, N. C.

**The report quoted lawyers for the National Assn. for the Advancement of Colored People as saying a suit filed in Jacksonville, Fla., on behalf of 39 Daytona Beach Negro students is "the most extensive school suit ever filed in the nation."**

It said the petition concerns "not only pupils but also assignment of teachers and administrative personnel and budgeting of school funds."

The Birmingham suit is the only litigation against segregated schools in Alabama.

14d(1) 1960 MISSISSIPPI

SCHOOL BOARD REFUSED TO RENEW CONTRACT OF MRS. ADDIE M. GRAY HUSBAND GRAFTON R. GRAY TESTIFIED BEFORE VOLUNTEER CIVIL RIGHTS COMMISSION. WAshington,D.C. (January)

# Probe Of Teacher Firing After Rights Testimony Sought

Birmingham World
Birmingham Ala.
Wed 6/1/60

CHARLESTON, Miss. — The school board has refused to renew the contract of Mrs. Addie M. Gray, a teacher with 10 years' experience and a graduate of Rust College. No reason was given.

However, it was noted that her husband, Grafton R. Gray, was among eight citizens from five Southern states who testified before the Volunteer Civil Rights Commission in Washington last January.

They told the V. C. R. C. and some members of Congress about widespread violations of voting rights and harassment of prospective voters in Mississippi, Louisiana, Alabama, Tennessee and North Carolina.

Gray also related how he had been fired as a teacher in Tallahatchie County after serving 12 years. "Many of us are afraid to register because of fear of loss of jobs, credit, and violence," he told the V. C. R. C.

**TIFFANY ACTION ASKED**

Aubrey W. Williams, Montgomery, Ala., president of the Southern Conference Educational Fund, Inc., wired Gordon Tiffany, Washington, staff director for the U. S. Comfission on Civil Rights, and urged him to investigate the firing of Mrs. Gray.

Williams asked Tiffany to "ascertain to what extent she is being punished because of the activity of her husband in behalf of voting rights for Negroes. It is disgraceful when citizens are denied the right to vote because of race; it is even more shameful when those who have the courage to stand up and challenge such illegal acts are made the victims of economic reprisal."

Birmingham
Ala. Blade
6/5/60

# West Point Plans New School Dates

## Negro Institutions To Open Three Weeks Early

Special to The Commercial Appeal

WEST POINT, Miss., Aug. 13.—Negro schools open three weeks earlier and white schools one week later than usual, Supt. B. D. McAllister announced Saturday.

The four Negro schools in the West Point municipal separate school district will open Friday, Aug. 19 as an experimental early opening to allow a three week recess during the heavy cotton picking season, Mr. McCallister said. We hope this will be an antidote to the widespread absenteeism which has plagued the schools during September for many years, he said.

Schools involved include Fifth Street Junior and Senior High School, North and South Side Elementary and Abbott Elementary Schools.

Plans call for classes to run through Sept. 16 with reopening Oct. 10. Supt. McCallister pointed out that if this does not remedy the low attendance period, the schools will go back to the original opening pattern.

All white schools will open Sept. 8. The week's delay is a safety measure to allow completion of the renovation of the junior high school.

Adjustment day and books issued will be the following day. A shorter Christmas holiday period, Dec. 22-Jan. 1, will permit commencement exercises to fall at usual time. Thanksgiving holidays have been set for Nov. 24-25 and spring holidays March 16-17.

# Pupil Assignment Dates Announced For City's Schools

## Session Actually To Begin Classes On September 12th

Intensive preparation has been under way this summer by the local Board of Trustees and its staff for the opening of the 1960-61 school session which begins Monday, September 12, 8:30 a. m.

All 33 elementary school principals, white and colored will report for duty and will be in their offices at 8 a. m. beginning Monday, August 29. The eleven junior and senior high school principals are already on the job.

Counselors in the junior and senior high schools are in their offices from 8 a. m. to 5 p. m., Mondays through Fridays. They are ready to assist secondary school pupils and parents who wish to confer relative to program of studies and class schedules for the coming session.

All teachers, nearly 1060 in number, will report for duty on Tuesday, September 6. On the same date there will be a general meeting of the white teachers with the school board and school superintendents at 8:30 a. m. in the Central High School Auditorium and a general meeting of the colored teachers with the board and superintendents at 10 a. m. in the new Brinkley High School Auditorium on Livingston Road.

### PUPIL ADMISSION

As State laws provide, applications for pupil admission and assignment to school will be taken by principals and teachers of the 45 schools on Wednesday and Thursday, September 7 and 8, between 8:30 a. m. and noon, as follows:

On Wednesday, September 7, applications for admission and assignment will be received for elementary pupils, grades 1 through 6, whose last name begin with the letters A though K.

On Thursday, September 8, applications for admission and school assignment will be received for elementary school pupils, grades 1 through 6, whose last name begin with the letters L through Z.

Seventh and 10th grade pupils will make application for admission and assignment on Wednesday, September 7.

Eighth, 9th, 11th, and 12th grade pupils will make application for admission and assignment on Thursday, September 8.

### SOME EXCEPTIONS

Exceptions to this schedule of applying for admission and assignment are as follows:

All pupils, grades 7 through 12, in the area on the western part of the district recently added to the Jackson Municipal Separate School District which was served last year by the Hinds County School System will be legally transferred by the Trustees of the Jackson Public Schools to the Hinds County School District where they will be assigned and transported by Hinds County school buses to a junior or senior high school which served this area last year. White pupils, grades 7 through 12, in this added area attended either the Forest Hill or Clinton high school last session, and the colored pupils, grade 7 through 12, attended either the West Side junior high school or the Sumner Hill high school, and they will be so assigned for the 1960-61 session.

Colored pupils, grades 1 through 6, in this recently added area to the Jackson School District who were assigned to the West Side Elementary School last year will also be legally transferrred this session and will be transported by Hinds County school bus to the West Side Elementary School.

This arrangement for these pupils in this added area has been formally agreed to by the two school boards concerned and will be effective for the session 1960-61. Cost of transportation and tuition for these pupils will be paid to the Hinds County Board of Education by the Trustees of the Jackson Public Schools.

### TO NEW SCHOOLS

The remaining 1500 white pupils, grades 1 through 6, in the newly added area to the Jackson School district will be assigned to the Oak Forest, the Clinton Boulevard elementary schools, or to one of the other elementary schools in the Jackson seperate school district which is in reasonably proximity to this new school area. No school bus service will be available to pupils residing in the city limits who attend a public school within the corporate limits.

Beginning pupils can enter school in September if they are six years of age by and including January 1, 1961. The only other requirement for admission is that all beginning pupils must present a certified birth certificate at the time application for admission is made.

# Mississippi Educator Wins Signal Honor In Brookhaven

## $300,000 County School Pays Tribute To Eva H. Harris

Chicago Defender
Chicago, Ill.

BROOKHAVEN, Miss. — The respect and admiration which this city holds for one of its most outstanding and revered citizens was attested to in a tangible and signal manner when the new $300,000 Lincoln County elementary-high school opened late last month with an anticipated enrollment of 840.

The new school is named the Eva H. Harris Elementary-High in honor of Mrs. Eva Marie Hall Harris who has served as supervisor of Lincoln County schools for the past 16 years.

It will provide high school facilities for the children of the county school district and will hold classes for students from the first through the 12th grades.

Mrs. Harris also has been selected to serve as its principal. Twenty-eight teachers are on the faculty and 16 buses serve the school.

**EMINENTLY QUALIFIED**

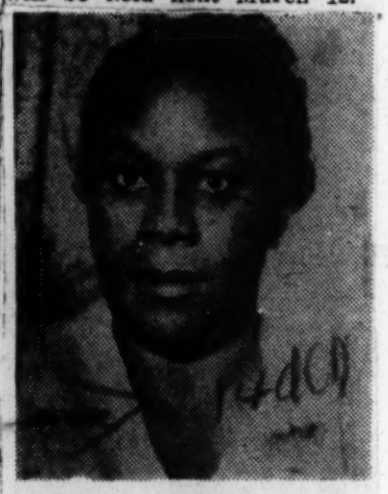
A graduate of Northwestern university with a master's degree in supervision and administration, Mrs. Harris, who completed her high school training at Prentiss Institute in Prentiss, Miss., and received her B. S. degree from Alcorn A. and M. college, Lorman, Miss., is eminently qualified for her post.

Before taking over the supervisory of schools in Lincoln County Mrs. Harris was a member of Prentiss Institute's faculty and served as supervisor of schools for three years in Jefferson Davis county in Prentiss.

Mrs. Harris enjoys the signal honor of being the third American woman for whom a public school is named while the individual is alive.

The wife of a minister, she financed college training for three of her younger sisters delaying her own marriage until they were graduated.

The formal dedication of the $300,000 Lincoln county school will be held next March 12.



SIGNALLY HONORED. Mrs. Eva Marie Hall Harris for whom the new $300,000 Lincoln County elementary-high school in Brookhaven, Miss., will be named. Ready for occupancy on August 1, the Eva H. Harris Elementary - High pays honor to the person who has served as supervisor of Lincoln County schools for 16 years.

# Schools Closed by Walkout

The Miami Herald

Miami, Fla.

ST. LOUIS —(AP)— A strike of 550 custodians and matrons Monday closed most of the city's 139 elementary schools. Some 80,000 pupils were affected.

Jan. 19-60

Members of Local 118 of the Public School Employes Union went on strike Monday morning. Pickets were established at various school buildings.

12-3-B

**At least two high schools also were closed. Three more were due to suspend classes at lunch time because cafeteria employes would not cross picket lines.**

Those schools remaining open have automatic gas or oil heating plants, serviced by stationary engineers. Many of the engineers went to work before pickets were posted.

Schools heated by stoker-fired furnaces and tended by custodians did not remain open although principals, teachers and pupils reported for classes.

H. Lee Burns. president of the Board of Education, said he would call a special meeting to deal with the strike. There was a possibility the board would seek an injunction against the strikers.

The custodians and matrons are seeking an average wage increase of $200-a-year per man.

# Charge discrimination in Mo. pupil transport

The Afro-American

Baltimore, Md.

ST. LOUIS (ANP) — Colored pupils who are transported by bus from overcrowded school districts are not taken as they should be to the nearest school, but to the nearest colored school.

Lorenzo J. Greene, professor of history at Lincoln University in Jefferson City, made this charge before the state advisory committee to the federal Commission on Civil Rights at a hearing here last week.

The hearing was held by the committee's subcommittee on education of which Mr. Greene is chairman.

He reported that colored pupils, who must be transported because of overcrowding, are taken only to schools that are already racially integrated.

**SCHOOL OFFICIALS** have said they follow this policy because they feel it is not proper to transport colored pupils to a school in a white neighborhood. They contend that it is not the responsibility of the school system to change the character of a neighborhood.

Reporting on desegregation in education in the rest of the state Greene said progress has leveled off since reaching a peak in the year following the United States Supreme Court decision ordering an end to segregation in public education.

In some areas, notably Pemiscot and New Madrid counties, no progress whatsoever has been made, he said.

# ST. LOUIS BATTLES SCHOOL CROWDING

The Evening Sun

Baltimore, Md.

## Buses to Take 3,200 Pupils From Central Area to Empty Classrooms

Special to The New York Times.

ST. LOUIS, Sept. 3—Overcrowding in public schools in central St. Louis, caused largely by a growing Negro population, will be relieved by a newly developed bus transportation system when classes begin on Thursday.

P. 24

About 3,200 pupils in the fourth, fifth and sixth grades will be transported from schools near their homes to schools as many as eight miles away, where there are empty classrooms. The bus students, more than 90 per cent of them Negroes, will remain together in classrooms at the host schools and will not be mixed with the schools' regular pupils, most of whom are white.

9-4-60

William C. Kottmeyer, assistant superintendent of instruction in charge of elementary school administration, said the decision to keep the groups separate had nothing to do with race. St. Louis schools were integrated immediately after the United States Supreme Court found segregation unconstitutional.

Kenyon

**Reason for Separation**

One reason for not mixing the groups, Mr. Kottmeyer said, is that they will operate on slightly different schedules. Visiting pupils will arrive at the host school a little late because of the bus trip, will have thirty minutes instead of an hour for lunch, and will leave thirty minutes early, once again because of the bus trip.

The bus plan was formulated after St. Louis voters turned down two bond issues for new schools in the central part of the city. Faced with a situation in which each teacher had forty or more pupils, school officials sought a solution in making use of empty classrooms in north and south St. Louis.

Classroom units from sixteen schools will be sent to eighteen schools where space is available. In one instance, 455 pupils comprising thirteen classrooms from a single school will be sent to another school. The average distance of each trip is between three and four miles.

Fifty-four buses will be used at a cost of about $135,000 a year. One teacher will ride each bus and will be paid overtime. The overtime expense will be about $37,000 this year, Mr. Kottmeyer said.

Indications of resentment on the part of parents whose children attend the host schools have come to the attention of school officials. Mr. Kottmeyer has asked principals to make special efforts to pave the way for the new pupils in talks with parent groups.

"The children would rather go to school near their homes," he said. "We would rather send them to school near their homes. It is not their fault that we are sending them to other neighborhoods and we hope they will not be treated as intruders."

# School picketing is suspended

The Afro-Am.

Baltimore Md.

ST. LOUIS — Picketing by a group of colored mothers at Chenot elementary school in Centreville was suspended last week after the Cahokia Board of Education agreed to study complaints of racial segregation in the district.

Rec'd 9-4-60

The irate parents demand: an end of gerrymandering in assigning pupils to schools; an end to segregation in the classrooms, integration of cafeteria, drinking fountains for pupils to attend schools closest to their homes and integration of teachers.

Pupils at Chenot were predominately colored until a number of white pupils were transferred there from Centreville school three years ago.

# 'NOW' Plans Washington Meeting on Feb. 17-19

## Women's Units Join for Schools Fight

NEW YORK — Seventeen national women's organization with a total membership of 14,000,000 have joined hands to fight segregation in the nation's public schools.

Working togtener quietly for the past six months, the women's groups have combined forces in a coordinating council they call "NOW (National Organizations of Women) for Equality in Education."

Plans have been disclosed for a national "NOW for Equality" meeting in Washington Feb. 17-19. Purpose of the meeting, it was reported, will be "to focus major attention on the psychological, educational, social and ethical consequences of segregation and their effect on children of all races."

■

Speakers at the Washington meeting will include Mrs. Eleanor Roosevelt, the Rt. Rev. James A. Pike, Protestant Episcopal Bishop of California; Justice Justine Wise Polier of the New York Domestic Relations Court, Prof. Kenneth Clark of City College and others.

Member organizations of "NOW for Equality" include the American Jewish Congress, National Women's Division; Association of Universalist Women, Delta Sigma Theta, Fellowship of the Concerned, General Alliance of Unitarian and Other Liberal Christian Women, Hadassah, National Association of Colored Women's Clubs, National Council of Negro Women, National Council of Women, National Women's Conference, American Ethical Union; National Women's League, United Synagogue of America; Pioneer Women, Seventh Day Baptist General Conference, Women's Society; United Automobile Workers, Women's Department; United Church Women, Women's Branch of the Union of Orthodox Jewish Congregations of America, and the Women's International League for Peace and Freedom.

# Jersey Town Pays $1,750 To Teacher It Wouldn't Hire

The Call Kansas City, Mo.
In. Sept 60

14d(1)

NEWARK, (N. J.) — (ANP) —The State Department of Education said this week that a discrimination complaint against the Madison Townshp's Board of Education had been settled with the payment by the board of $1,750 to Charles Williams, a Negro.

The money, according to the announcement, represented an adjustment based on Williams' loss of income because the board refused to employ him in the Middlesex County school during the 1958-59 school year. Williams has since obtained a position in another school district.

The complaint was filed on Sept. 17, 1958. It was charged that Williams had been notified of a vacancy, but that when he applied for the opening he was refused an interview.

14d(1) 1960

NEW YORK

# CITY SCHOOLS CITE INTEGRATION GAIN AGAINST BIG ODDS

Tues. 4/28/60

## Population Shifts and Fisca Curbs Reported Limiting Combined Program

By FRED M. HECHINGER

New York City's attempt to combine racial integration in the schools with improved educational standards for all is showing limited progress against heavy odds, Superintendent John J. Theobald reported yesterday.

The school chief made public a 196-page report on the action taken on recommendations in 1956 and 1957 by the Commission on Integration of the Board of Education.

Although called "a progress report," the document also stresses the unsolved problems of a city in which unpredictable population shifts often outrun careful planning. It warns against making the schools the scapegoat "for all the shortcomings of the society in which we live."

Strides in offering better educational opportunities to children from underpriviliged backgrounds art outlined against a somber background of continuing shortages of qualified teachers, guidance experts, health and library services and money. The Junior High School Division alone has 2,236 leading vacancies.

### High Colored Influx

The report, "Toward Greater Opportunity," calls attention to these basic facts:

¶Today three out of four of the public elementary school children in Manhattan are either Negro or Puerto Rican, with the proportion for the entire city put at two out of five.

¶On Oct. 31, 1958, there were 56,296 Puerto Rican children in the city's elementary schools who could not speak or understand English.

¶After years of "a steady exodus" of white children to private and parochial schools, approximately one-third of all city children are now enrolled in such nonpublic institutions. In the last three years, 53,683 children have left the city's elementary schools to attend private and parochial schools.

¶Between 1950 and 1958, a total of 835,000 alien immigrants, Puerto Ricans and Negroes fro mthe South moved into the city, with Puerto Ricans and Negroes constituting almost 60 per cent of the total. In the same period, 1,285,000 persons, most of them white, left New York City.

¶By 1980 the city's Negro and Puerto Rican population will, according to stuides, grow from its present total of 1,650,000 to 2,500,000.

Against these facts, the report points to progress in over-all integration:

In 1957 a total of 62.6 per cent of all the city's elementary schools were segregated under the definition of the report; in 1959 the total was 56.7 per cent. Segregated schools, under that definition, are schools with fewer than 10 per cent nonwhite or white students.

If the increase of Negro and Puerto Rican children were spread evenly over the entire city, the report says, there would be fewer problems of integration. But "the bulk of the increase occurs in areas already ethnically homogenous or, since such neighborhoods are likely to be very much overcrowded, in fringe areas," the report goes on.

"Sometimes," it says, "the total pattern of community change negates our best efforts to establish integrated schools through improved zoning practices."

Dr. Theobold points to a city of great instability, where not only masses of new arrivals must be counted every year byt where populations, especially within the low-income, underprivileged neighborhoods, shift constantly within the city. A turnover—the sum total of admissions and discharges during a school year—of more than 80 per cent is the rule rather than the exception in those areas.

More than 11 per cent of the elementary school population is unable to speak English.

### Shifting Being Studied

A study in depth of children in grades three and six is beeing carried out to determine the effects of constant shifts.

The report warns: "One fact has emerged clearly from our efforts. If we are going to raise the academic aspirational levels of large groups of pupils, it can be done only through the concerted efforts of all segments of the community. The kind of piecemeal effort which is restricted to a little more help in reading, or a little more guidance, or a little more of anything taken in isolation, will result neither in effective nor lasting improvement."

The report insists on two guiding principles: First, to preserve the "neighborhood" character of at least elementary and junior high schools as far as possible; second, to further integration as much as possible without destroying the neighborhood concept. The report emphasizes that segregated housing will continue to block complete integration in education.

Exceptions to this principle of the neighborhood school have been transfers of students from overcrowded to under-utilized schools. From September, 1957, to June, 1959, a total of 25,528 children was so shifted. Although this was done primarily to make better use of school space, the result in most instances was improved integration, the report says.

Additional transfers are planned for September, involving 5,568 pupils and forty-three "sending schools" and fifty-four "receiving schools."

Illustrating the difficulties faced by the school authorities in trying to create and maintain integrated schools, the report points to the opening of P. S. 163, Manhattan, which was to serve two near-by developments: Frederick Douglas Houses, a low-income project of 2,057 apartments, and Park West, a privately sponsored development with 2,583 apartments for middle and upper-income families. Douglas Houses was about 75 per cent Negro and Puerto Rican; the Park West was almost entirely white.

"Park West parents sent only four children to P. S. 163, preferring to enroll their children in private and parochial schools," the report notes.

One of the first priorities in pursuing the city-wide integration program was the setting up of special classes for non-English speaking children. During the 1956-57 school year there were 2,099 such elementary and 259 junior high school classes, the report indicates. With the gradual slowing of Puerto Rican migration, the total last year was reduced to 1,797 and 368, respectively.

Most effective has been the use of special substitute auxiliary teachers who are themselves natives of Puerto Rico with an intimate knowledge of the children and their background. Since 1956 their number has been increased from twenty to ninety in the elementary schools and from eighteen to thirty-eight in the junior high schools.

Progress has been made, too, in providing special remedial reading instructors. Since 1956 the number of positions has been increased from 147 to 177. The first clinic for retarded readers was established in 1955. Today there are seven.

Between 1956 and last year, 294 libraries were "established or brought up to date" in elementary schools. Of these, 119 were in the "special-service schools" for non-English-speaking students and a large proportion of the remainder in schools in "fringe" areas.

"Today almost all classrooms, regardless of the economic status of its children, have library corners, shelves and book cases," the report says.

When 386 television sets were distributed to the schools recently, 73 per cent of all special-service schools received their first sets, as compared with only 53 per cent of other schools.

Significant progress is reported in the identification of talent and in guidance of underprivileged children. While the school system is still far short of the recommended 826 guidance positions, the total has grown from only 146 in 1955 to 491 for the coming school year. For the 1960-61 school year the total guidance budget will be increased by 50 per cent, from $2,152,983 to more than $3,000,000.

Spectacular success is reported for the Higher Horizons and the Demonstration Guidance programs. These aim at compensating for children's underprivileged background by making special educational opportunities available. Higher Horizons program tries to develop to the full the talents of all children. Demonstration Guidance has college admission as its main goal.

But the report warns against over-optimism. Despite the progress, the great majority of elementary schools have no specific assigned guidance service. Of 569 elementary schools, only about 125 have guidance counselors on a part-time or full-time basis, leaving about 444 schools with only "occasional services."

Special efforts are being made to concentrate guidance and identification of talent on all the children in second grade.

The report stresses also dire needs and inability to cope with them under present fiscal limitations.

To meet building needs, the report points out, the board has requested $464,280,462 in new funds in the four years since 1957, but only $339,806,028 has been granted. Almost 28,000 elementary pupils are on short sessions, getting less than the required five hours of daily instruction. And 100,000 are on "special schedules."

Other serious shortcomings listed are these:

¶Shortage of 300 remedial

The New York Times

OPPORTUNITY: Individual instruction develops proper reading habits among these elementary school children. The city has intensified efforts in the field of reading.

reading elementary school teach-
schools, at a total cost of $4,920,000.

¶Absence of any central libraries in forty-five special-service elementary schools. This is aggravated by a low per capita allotment for library books of only 60 cents, compared with a New York State average of $1.82. The 1960-61 budget will raise the city figure to 95 cents.

¶Lagging funds for textbooks, with the junior high school division confined to $10.53 a student against an estimated need of $19.71. The available money for each elementary school student is only $7.67.

¶Total absence of health counselors, although each junior high school should have two, according to the report.

¶Serious shortages in school psychologists, with thirty positions filled with substitutes and fifty-eight, or 42 per cent of the total, unfilled.

**Serious Teacher Shortages**

The report reveals far more serious shortages of teachers than earlier public announcements indicated. In the elementary schools, the teaching force is 3,006 below authorized strength, a shortage of 19 per cent.

In the junior high schools, the situation is called "difficult, with little hope for improvement in the near future. The report points to a 79 per cent increase of junior high school students—from 102,000 in 1951 to 183,000 in 1959.

Of 7,189 junior high school positions in October, 1959, only 3,758 were filled with regularly licensed teachers. There were 2,236 vacancies, and the rest of the positions were filled with teachers not licensed in their required subject fields.

Fortunately, the report notes, the schools have been getting valuable help from community volunteers and neighborhood councils.

The report was prepared under the direction of Deputy Superintendent Jacob Greenberg and edited by Dr. Jacob Landers, principal of Junior High School 64, Brooklyn.

# N.Y. Attacks Race Pattern In Schools

NEW YORK (AP)—The city's board of education Wednesday announced the first move in a new open-transfer plan aimed at breaking up racial segregation patterns in schools.

Effective with the reopening of schools next month, pupils entering junior and senior high schools having a heavy concentration of Negro and Puerto Rican students will have a chance to transfer to "certain other junior and senior high schools." The board made it clear that these other schools would be underutilized ones having predominantly white populations.

The purpose of the program, as explained by the board in a statement and by Schools Superintendent John J. Theobald at a press conference, is twofold.

The board described the first prupose in this way: "A school can be a good school regardless of ethnic distribution, but there can be little doubt . . . that a school has certain additional values for our democracy if its student body represents a variety of ethnic and religious distributions."

At the press conference, Theobald said the second purpose is to provide minority-group youth with a "maximum opportunity to grow." He said experience has shown that when a pupil from a poverty-stricken, segregated area gets a chance to study in a racially integrated school with high standards, the student improves his own performance.

Seegregation is forbidden by law in the city's one-million-pupil school system, but neighborhood racial patterns have sometimes resulted in schools with populations almost entirely white or Negro.

# INTEGRATION HELP ASKED OF SCHOOLS

New York, N.Y.

## City Intergroup Unit Urges Early 'Round-Table' Talks on Racial Problems

Times 8-30-60

By PETER KIHSS

The city's Commission on Intergroup Relations is urging members of the Board of Education to join it in meeting with citizen groups on the problem of racial integration in the public schools.

One phase of the commission's effort has been a move by one group to have children "sit out" of schools starting on opening day, Sept. 12, in a demand for a Board of Education "plan and timetable" to overcome asserted segregation here.

Dr. John J. Theobald, Superintendent of Schools, said last night that he had been working constantly with "the representative people" in parent and community groups on the situation for the last two years. He suggested that everybody wait for an announcement he will make at a press conference scheduled for tomorrow afternoon.

**Chairman Issues Statement**

In a statement, Dr. Alfred J. Marrow, chairman of the intergroup commission, said:

"The Commission on Intergroup Relations is seeking a round-table conference on the problem of integration in New York City public schools.

"The commission proposed to President Charles Silver of the Board of Education last Thursday that such a meeting be held under the commission's auspices, to be attended by members of the Board of Education, Superintendent of Schools John Theobald and representatives of the many private agencies interested in the problem, including the Parents Workshop for Equality in New York City Schools, which is threatening a school sit-out Sept. 12.

"COIR believes that such a meeting would be in keeping with its mandate under law to 'encourage and bring about mutual understanding and respect among all the groups in the city, eliminate prejudice, bigotry, discrimination and disorder occasioned thereby.'

"A conference can ease tensions and resolve problems that have been troublesome.

**Plea Has Been Pressed**

"COIR notes that the Board of Education itself has declared its policy—by resolution of Dec. 23, 1954—that 'racially homogeneous schools are educationally undesirable,' and committed itself to 'prevent the further development of such schools and . . . integrate the existing ones as quickly as practicable.'

"COIR therefore urges round-table conference as a sound approach to these admission goals."

The five-year-old, fifteen-member city commission has long pressed the Board of Education to intensify efforts against racial and ethnic concentrations in the schools.

Its proposals have included redistricting of schools on a borough-and city-wide basis, which the board has been studying, and permissive transfers of pupils on request of parents "not only to relieve overcrowding but also to advance integration."

The Parents Workshop started last March under the presidency of the Rev. Milton A. Galamison, former president of the Brooklyn branch of the National Association for the Advancement of Colored People. Its headquarters are in his Siloam Presbyterian Church, 260 Jefferson Avenue, Brooklyn.

Mr. Galamison charges that the group found a "serious policy retrenchment" being planned in the schools. This, he said, meant that no more Negro children would be transferred this fall from the Bedford-Stuyvesant section to the Glendale-Ridgewood and Greenpoint areas, while "literally hundreds" of others from Brownsville and East New York were being barred from desired transfers to Flatbush.

**Growth in Segregation Seen**

He contends that "since 1954 the number of segregated Negro and Puerto Rican schools has doubled," and that "only 35 per cent of our public schools are integrated." The average child in "segregated schools," he says, lags two and a half years behind children in other schools.

In reply, the school system has said that second-grader brothers and sisters of children transferred to Queens schools last fall would be allowed to transfer there this fall. But it has said that others transferred should go to under-utilized schools in intervening areas, and that Flatbush space is being reserved for 900 children from a new housing project.

Mr. Galamison's group declines to disclose the number of "sit-out" pledge cards it has obtained at house meetings, street tables and sound truck stops around town. More than 100 persons attended last Thursday's weekly meeting at the Siloam Church, when about 100 cards were turned in.

The Amsterdam News, Harlem weekly newspaper, endorsed the Parents Workshop program, including a strike if need be, in a column by its executive editor, James L. Hicks, on July 23.

# Turn Down 12 Negro Students

Chicago Defender
9-12-60

NEW ROCHELLE, N. Y. — (UPI) — Twelve Negro students were turned down when they sought to enroll at Roosevelt school, a predominately white school, in an effort to escape education at a predominately Negro school.

Paul B. Zuber, a Harlem attorney and spokesman for the parents of the children involved in the integration attempt, said the students would attempt to enroll in another white New Rochelle school on the following day.

They were turned down at the William B. Ward Elementary school previously.

# Integrating New York

Although New York City schools are formally integrated, about one-third of its Negro and Puerto Rican youngsters attend what amount to segregated institutions. Pinned by economics and discrimination in rundown areas of Harlem and elsewhere, they have been forced by law to stick to their own school zones because the Board of Education has long insisted on the preservation of the "neighborhood school." In an abrupt reversal of policy last week, the board unveiled a "program of open enrollment."

When classes begin next week, 21 junior high schools and one high school, all with a concentration of at least 83 per cent Negro and Puerto Rican pupils, will be able to transfer youngsters to 28 underattended, predominantly white schools. Transfers, however, will be made only at the request of parents. "It is logical," said a board statement, "that we provide greater opportunity for [Negroes and Puerto Ricans] to join educationally with the rest of our population." Expected number of transfers: 3,000.

# SCHOOLS TO WIDEN OPEN ENROLLMENT

The N.Y. Times

## City's Elementary Pupils in 16 Will Join 'Pilot' Project Next Month

New York

## JUNIOR HIGH PLAN LAGS

9-16-60

## Requests for Transfers for Ethnic Balancing Fall Below Expectations

By LEONARD BUDER

The Board of Education's new "open enrollment" integration program will be extended next month to sixteen elementary schools with predominantly Negro and Puerto Rican enrollments.

Pupils at these schools will be allowed to transfer to designated white and integrated schools in other areas.

The program, which went into effect Monday in twenty-two junior high schools and one senior high school, is intended to bring about a better ethnic balance in the school system.

However, a preliminary report issued yesterday by the board indicated that the program might not prove so effective as expected. With only today remaining for parents of junior high school pupils to submit applications for transfers, the system so far has received only 329 such requests.

When the new policy was announced two weeks ago school officials said they expected that about 3,000 junior high school pupils would be transferred.

**Reasons for Low Response**

Commenting on the low number of transfer requests, one official said:

"Apparently Negro and Puerto Rican parents want the right to send their children to schools outside their area, even though, as a matter of practicality, they may not want to avail themselves of this opportunity."

Another official said the expense of transporting children to schools in other areas—parents have to pay the cost, although the pupils will get reduced rates on public conveyances—might be a factor.

The extension of the program to elementary schools was announced by Dr. John J. Theobald, the Superintendent of Schools. The statement described next month's operation as a "pilot" project.

Dr. Theobald said that the test would "provide the experience and skills needed to introduce open enrollment in elementary schools on a city-wide basis next year."

Under the pilot operation, third, fourth and fifth grade pupils will be eligible for transfers. The junior high school transfers are now limited to pupils starting the seventh grade.

**Rules on Designating**

The names of the "sending" and "receiving" elementary schools will be announced next week. The receiving schools will be those not now filled to capacity.

Also, as in the case of the secondary schools, Manhattan eligibles will be permitted to transfer to designated schools in either that borough or the Bronx. Pupils elsewhere will gram has been described as one transfer within their borough, of the city system's biggest in- with the exception of Richmond, tegration steps because it rep- which has no minority group resents the first attempt to concentrations. break the traditional pattern of schools in their neighborhoods. The open enrollment pro-

The New York Times (by Edward Hausner)

**NEW FACES: Joe Tyler introduces himself to Mrs. Dorothy Garbey, teacher, and third-grade class at Public School 183, First Avenue and Sixty-sixth Street. Joe was among 376 pupils transferred from Harlem to Yorkville schools.**

# 5 Yorkville Schools Welcome 340 Harlem Transfer Pupils

By LEONARD BUDER

A total of 340 Negro and Puerto Rican pupils were transferred without incident yesterday from Harlem and East Harlem to five predominantly white schools in Yorkville.

The pupils went by bus to their new schools as part of a Board of Education plan to relieve overcrowded class conditions in Harlem and East Harlem.

The newcomers received warm welcomes from principals, teachers, pupils and parent representatives at the Yorkville schools. Thirty-six transfer pupils were absent, but school officials said this was a normal rate.

The smooth transfer yesterday was in marked contrast to the situation that developed last September when Negro pupils from Brooklyn were transported to formerly all-white schools in the Glendale-Ridgewood section of Queens.

That transfer touched off demonstrations outside the school and a one-day school boycott including 40 per cent of the white pupils. Although conditions at the Queens schools soon returned to normal, periodic protests and demonstrations occurred through the fall term.

### Explanation in Advance

Mrs. Josephine S. O'Brien, assistant superintendent in charge of Yorkville schools, attributed yesterday's uneventful pupil shift, which coincided with the start of the spring term, to advance efforts aimed at building community understanding and acceptance of the move.

Typical of the reception accorded the incoming pupils was that provided at Public School 183, at 419 East Sixty-sixth Street. Alice G. Rooney, the principal; a squad of pupil monitors and officials of the parents' association waited outside for the arrival of two busloads of new pupils.

After brief on-the-spot greetings, the eighty-five newcomers were assembled for a more formal welcome from Miss Rooney and Mrs. O'Brien.

"I know you will be very happy here," Mrs. O'Brien told the pupils. "This school is very lovely. Everyone works hard here, and we know you will want to work hard, too."

At the mention of hard work, one newcomer gasped, and this touched off a murmur of laughter from the other boys and girls. The initial welcome over, the children were then assigned to their classes.

### New Teachers Added

All of the pupils transferred are in the third, fourth or fifth grade. To avoid overcrowding the Yorkville classes, sixteen additional teachers were assigned to the district so extra classes could be organized. At P. S. 183 six new classes were set up, with newcomers being assigned to both old and new classes.

Asked to comment on the transfer, Mrs. Elaine Terry, president of the P. S. 183 Parents Association said:

"I see nothing unusual about this. After all, children are children."

Other Yorkville schools involved in the shift are P. S. 77, First Avenue and Eighty-fifth Street: P. S. 151, First Avenue and Ninety-first Street; P. S. 158, York Avenue and Seventy-fifth Street, and P. S. 190 Eighty-second Street and Second Avenue.

# N. Y. Gets 7-Point Integration Plan

NEW YORK — Dr. Alfred J. Marrow has announced that the Commission on Intergroup Relations has forwarded a number of specific recommendations for immediate action to the Board of Education to accelerate progress toward integration in the public schools of New York City.

The recommendations were contained in a policy statement on school integration adopted by the Commission. One of the stronger recommendations was that the Board of Education permit the assignment and transfer of pupils to schools outside their home district, when requested by parents, "not only to relieve overcrowding in certain schools, but for the specific purpose of advancing integration."

The statement recognized that some progress has been made toward the elimination of de facto segregation in the city's public schools, but expressed dissatisfaction at the "tempo and scope" of the Board of Education's efforts to eliminate racial and ethnic segregation in compliance with the city's official policy.

The Commission recommendations follow:

1. The superintendent of schools should appoint a committee to devote full time to the direction, expedition and coordination of the school integration program.

2. There should be a reexamination and re-evaluation of the present zoning plan and the powers of the Central Zoning Unit to make zoning a more effective tool for achieving integration.

3. The board should permit reassignment and transfer of pupils — when requested by parents — not only to relieve overcrowding in certain schools, but for the specific purpose of advancing integration,

4. Qualified teachers should be assigned on an equitable basis throughout the school system with every effort being made to gain cooperation from teachers in an integration program.

5. The Board should provide in-service training of all teachers and other school personnel on the philosophy, policies and objectives of the school integration program.

6. The board should assume primary responsibility for building community understanding and acceptance of the school integration program.

7. A realistic statement of the total costs — not including construction costs — should be presented to the public and the Bureau of the Budget in connection with the school integration program.

# REGENTS ASK END FOR SEGREGATION

## School Practices Are Called Unsound and Unrealistic in Policy Statement

By WARREN WEAVER Jr.

Special to The New York Times.

ALBANY, Jan. 28—The Board of Regents called on the citizens of the state today to banish racial segregation from New York's schools as psychologically unsound and socially unrealistic.

It was the first policy statement on segregation ever issued by the group, which sets the standards for all public and private education in the state.

The pronouncement clearly implied that the Regents were concerned over the existence of artificially maintaind all-white or all-black school systems in a state that boasts of providing equal educational opportunity for all.

At the same time the board assigned to a special advisory council the task of seeking solutions for the educational problems related by segregated

schools. The group expects to have its first recommendations ready in a few months.

The Regents recognized that one of the major obstacles to a school system with fully realized equal opportunity was "residential segregation, which leads to schools with students predominantly of one race."

Their statement indicated that the board would lend its support to proposals to ban racial or religious discrimination in the private housing field. This is one of the most controversial issues before the 1960 Legislature.

**Not a Blueprint**

The policy declaration, while a statement of general principles rather than a blueprint for action, was about as strongly worded as any product of the Regents in recent years.

"Modern psychological knowledge," the board declared, "indicates that schools enrolling students largely of homogeneous ethnic origin may damage the personality of minority group children.

"Such schools decrease their motivation and thus impair the ability to learn. Public education in such a setting is socially unrealistic, blocks the attainment of the goals of democratic education and is wasteful of manpower and talent, whether this situation occurs by law or by fact."

The board noted that New York's laws and policy had long reflected the principle that an opportunity for a free and equal education should be afforded without relation to economic, national, religious or racial background.

"Nevertheless," the regents said, "all citizens have the responsibility to re-examine the schools within their local systems in order to determine whether they conform to this standard so clearly seen to be the right of every child."

**Notes Larger Problems**

The educational problems created by de facto segregation in the schools, the board said, cannot be solved until the larger social problem of segregation in the community has been squarely faced.

"For this reason, therefore, we call upon all our citizens and their agencies of government and their civic organizations to take concrete steps to provide the social climate which will make it possible for us to increase the effectiveness of education," the Regents observed.

The group assigned to study the educational aspects of segregation is the nine-member Advisory Council on Intercultural Relations in Education. It was created by the Regents in 1954, a few months before the United States Supreme Court handed down its school segregation decision.

# Assign Boycott Pupils Outside of Harlem

Twenty-three Harlem pupils who have been out of school since last September because their parents refused to permit them to attend neighborhood schools, today were assigned by Superintendent of Schools John J. Theobald to three Manhattan junior high schools outside of Harlem.

The schools to which the youngsters will go are JHS 44, located at 100 W. 77th St.; JHS 115, 177th St. and St. Nicholas Ave., and JHS 172, 116th St. and East River.

The boys and girls originally had been assigned to JHS 136 and 139, situated near their homes. Their parents refused to permit them to attend these schools, charging that the schools offered "inferior" instruction.

The parents demanded that the children be sent to JHS 52, in Inwood, or JHS 141, in Riverdale, but Dr. Theobald refused to send the pupils to either fo the Bronx schools.

He castigated the parents for what he called their "illegal action" in keeping their children out of school. He explained that he was not sending the pupils back to the Harlem schools because he feared that this would harm the boys and girls even more than they have already been.

"The parents' illegal action has already brought great harm to their children and has created a woeful situation in which I fear that a return of these children to their originally assigned schools might result in even greater detriment to them," Dr. Theobald said today.

"As Superintendent of Schools I cannot in good conscience permit the lawlessness of the parents to bring future educational harm upon these children who have already irretrievably lost one-fifth of their junior high school life," he declared.

Dr. Theobald asserted that the Harlem community supports him and not the recalcitrant parents in the present controversy. He expressed his appreciation to the Harlem residents for their aid in the attempt to improve the educational program of the neighborhood.

# NEW CITY SCHOOL WILL MIX RACES

## It May Disappoint Parents Moving Into P. S. 6 Area, Board Officials Say

## BOUNDS YET TO BE SET

## But Transfers of Pupils Are Expected—Civic Groups Meet With Theobald

By LEONARD BUDER

The Board of Education indicated yesterday that some parents who had purchased or rented expensive apartments so their children could attend Public School 6, a so-called "silk stocking" school at Eighty-first Street and Madison Avenue, would be disappointed.

The opening of a new school this spring in East Harlem, officials said, will mean a revision of some school boundary lines in that section and Yorkville. A part of the area now served by P. S. 6 will be reassigned to the new school—Public School 198, at Ninety-sixth Street and Lexington Avenue.

The new boundaries of the schools, however, have not yet been determined. Dr. John J. Theobald, the Superintendent of Schools, said:

"An official statement that will define these matters for the affected areas in Manhattan will be forthcoming from my office only after we have fully studied all the possibilities as a cooperative effort of my staff and parent representatives of the schools concerned."

**Assurance of Integration**

However, the Superintendent made it clear that the new P. S. 198, "as a neighborhood school, would have an integrated school population."

Dr. Theobald made the comment after a meeting held at school headquarters in Brooklyn with representatives of parents from the area and officials of community organizations, including the National Urban League of Greater New York and the Manhattan branch of the National Association for the Advancement of Colored People.

Also present was Mrs. Josephine S. O'Brien, assistant superintendent for schools in the area.

The scheduled opening of P. S. 198 in May, Dr. Theobald noted, has stirred much interest and "some confusion" about zone boundaries and other factors.

Although the Superintendent did not mention it, the concern has centered largely on these points:

¶The fear of some white parents that their children would be transferred from P. S. 6 to the East Harlem school.

¶The concern of some Negroes and Puerto Ricans that the P. S. 198 zone would include few white children and that the new school would be a virtually segregated school.

Public School 6, at East Eighty-first Street and Madison Avenue, has long been regarded as one of the most preferred public schools in the city because it draws pupils largely from a well-to-do residential area, including fashionable sections of Fifth, Madison and Park Avenues.

At the meeting yesterday in school headquarters mention was made that some parents bought expensive cooperative apartments in the P. S. 6 zone so that their children could attend the school. Many others have rented apartments in the area for a similar reason.

# More Children Go To Private Schools

By JACOB JACOWITZ,
*School Page Editor.*

An increasing number of New York City parents are turning away from the public schools and sending their children to private or parochial schools.

This became evident today when the long summer vacation officially ended and children began to troop back to their classrooms. Altogether, 1,414,000 city youngsters went back to their books. But of this number almost one third —433,600—were enrolled in nonpublic schools.

And the trend to the nonpublic schools is being accelerated. While the city's public elementary and high schools gained 3570 pupils since last September, the nonpublic schools gained an estimated 15,000.

This trend assumed especial significance today, when principals began to carry out a new "open enrollment" policy enunciated by the Board of Education last week.

Under this policy, residents of Negro or Puerto Rican areas will be permitted to enroll their children in schools outside their neighborhood zones, provided the out-of-zone schools are not crowded. The purpose, as explained by Superintendent John J. Theobald, is to "secure better ethnic distribution."

No one in an official position will publicly admit it, but there is an unquestioned relationship between the school board's policy of "ethnic mixture" and the decision of some parents to send their children to nonpublic schools. An admission that this is the case, however, occasionally even slips into an official report.

Thus, in discussing the population trends in two Manhattan and Bronx neighborhoods, the Board of Education's progress report on integration last June conceded that "increased enrollments in nonpublic schools and transfers to such schools" reduced the proportion of white children in the public classes.

When school doors opened this morning, the city's public schools reported an enrollment of 981,120 children, an increase of 3579.

Catholic schools in the five boroughs reported 369,000 in register, a gain of 10,000. The Jewish Education Committee estimated 37,300 children in all-day Jewish schools within the city limits, a gain of about 3500 within the year.

Best estimates of enrollment in private nondenominational schools aggregated about 24,000 students. Another 2400 were reported in Lutheran private schools and about 800 in schools maintained by Seventh Dav Adventists.

# NEGROES' SITDOWN BALKED AT SCHOOL

The N. Y. Times

## New Rochelle Restrains 17 With Writ at School—Court Hearing Slated

New York

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N.Y., Sept. 26 — Negroes were thwarted again today in an attempted sitdown at a predominantly white school from which they had been excluded because they did not live in the district.

As they stepped on the grounds, they were served with a temporary injunction against entering without written permission. The plaintiff was the Board of Education.

In the group were five adults and twelve children. The leaders were the Rev. Melvin D. Bullock, head of the local branch of the National Association for the Advancement of Colored People, and Paul B. Zuber, a Harlem lawyer.

Besides being served with the temporary injunction, issued by State Supreme Court Justice Elbert T. Gallagher, they received the complaint in a suit for a permanent injunction. The justice directed them to appear in court at White Plains on Wednesday at the same time that eight defendants are scheduled to be tried in City Court here on charges of trespassing last week at the Wiliam B. Ward School.

The sitdown was attempted today at the Roosevelt School, on North Avenue opposite the Wykagyl Country Club. The only Negro pupils there are the six children of Alex Quaison-Sackey of Ghana and Nathan Barnes of Liberia, who live near the school and are permanent delegates to the United Nations.

The Negroes attempting the sitdown live in the old downtown Lincoln School district, where the pupils are 93 per cent Negroes and the outmoded building is about to be replaced with a $1,300,000 structure.

Mr. Zuber said busloads of Negroes would come here soon from New York to picket the schools.

# Negro Move Due In New Rochelle

New York World-Telegram and Sun

Special to World-Telegram and Sun.

NEW ROCHELLE, Sept. 27.—Prevented by court order from staging sitin demonstrations on Board of Education property, Negro leaders today were planning a new tactic in their campaign to put Negroes in schools outside their districts.

Five adults and 12 children were turned away by the temporary injunction yesterday when they arrived at the Roosevelt School on North Ave. for a planned sitin demonstration.

The group left quietly, but one of its leaders, Paul Zuber, a Harlem lawyer, predicted that busloads of Negroes from Harlem would move into New Rochelle soon to picket schools.

The temporary injunction, issued by Supreme Court Justice Elbert T. Gallagher, is returnable in White Plains tomorrow. Corporation Counsel Murray Fuerst said the injunction action was begun because Negro leaders had threatened to stage sitin demonstrations at a different school each day.

The out-of-district campaign is being conducted by residents of the Lincoln School district, where 93 percent of the school children are Negroes. Negro parents last week attempted to enroll their children in four predominantly white schools, but were told they must send their children to the school in the district in which they live.

At a sitin demonstration last Wednesday at the William B. Ward School, eight persons were arrested on charges of trespassing. They will be tried on the charges in City Court tomorrow.

# WESTCHESTER TRIAL DIVIDES NEGROES

The New York Times

## Some Denounce Sitdowns as Wrong Way to Achieve School Integration

New York N.Y.

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., Sept. 28.—The 16,000 Negroes in this suburban city were of divided opinion today when one of their leaders what on trial in City Court on a charge of disorderly conduct in the sitdown at the William B. Ward School one week ago.

The school is in the fashionable Quaker Ridge neighborhood and all the pupils are white. There is a neighborhood elementary school in each school district.

Twenty-three Negroes, largely from the downtown Lincoln School district where 93 per cent of the pupils are Negroes, attempted the sitdown at the Ward schools in protest against the exclusion there of Negro children from other districts.

### New School Wanted

Paul D. Dennis Jr., 40-year-old driver of the New Rochelle Public Library's bookmobile, went on trial as the first of eight defendants. He is the Republican leader in the Lincoln district and a local executive the National Association for the Advancement of Colored People.

Randall Tolliver, a leader in the N.A.A.C.P. and a member of the New Rochelle Youth Commission, said the school demonstrations were "ridiculous" and the work of "radicals." He said a majority of New Rochelle's Negroes opposed the demonstrations.

Mr. Tolliver said that he, most people of all races and all the Parent-Teacher associations wanted the new $1,300,000 Lincoln Elementary School that is about to be built, rather than a merging of all the Lincoln pupils in predominantly white schools. He said:

"The sitdown demonstrations are harmful to Negro children. The events make them race conscious. They are too young to get any impression except that they are discriminated against as inferior people.

"I am 100 per cent for integration but by orderly means in the neighborhood schools. Of the fifteen schools here, thirteen have Negro pupils."

There also were strong protests by some Negro clergymen and Parent-Teacher associations against attacks by the defense attorney Paul B. Zuber, and by the Rev. Melvin D. Bullock, a leader in the sitdown attempts, on Dr. Barbara Mason. Dr. Mason, the Roosevelt School principal, rejected pupils from the Lincoln district.

At the trial William Smith, supervisor of school grounds, and Patrolman Paul Bailey testified concerning the Ward School boundaries, the attempted sitdown and the posted warnings against trespassing.

Murray C. Fuerst, Corporation Counsel, said that Mr. Dennis' only child was enrolled at the Mayflower School and that he had no business at the Ward School. The trial was adjourned until next Wednesday.

# Negroes Push New Rochelle 'Integration'

New York Herald Tribune

## 13 Students Rejected, 'Sit-In' Threatened

Thurs 9/15-60

By Denslow M. Dade

NEW ROCHELLE, N. Y., Sept. 14.—A new effort to distribute pupils of the predominantly Negro Lincoln School here among other buildings in the system was launched today by a group of Negro parents.

Thirteen Negro children appearing at 9:30 this morning with their parents sought to register at the new William B. Ward Elementary School on Quaker Ridge Road. Mrs. Wilbert Taylor, of 70 Horton Ave., was first to apply, seeking to enter two children ,Kevin, six, and Leslie, eight. She was told by Mrs. Leonard Charla, the secretary, that since they did not live in the Ward School district, the children could not be admitted. The other children were turned away with a similar explanation.

### Warns of "Sit-In"

Paul B. Zuber, a Harlem attorney, spokesman for the pare said tha an attempt would b made tomorrow to register th students at Roosevelt Elemen tary School on North Ave. Failing there, he said, other schools will be tried. In none will admit the children, the pupils will stage a "it-in." "We will park somewhere until some one decides to do something about this ghetto-type school situation," he said.

Herbert C. Clish, Superintendent of Schools, said that after a "reasonable time" he would be compelled to do something about a sit-in. He said that under the compulsory attendance law, pupils present at a school where they are not registered would be considered (?)legally absent from their own school. He would inform the legal division of the State Education Department, he said.

Lincoln School has been a problem for years for the New Rochelle Board of Education. Situated in a predominantly Negro neighborhood, it has a 90 per cent Negro enrollment. The present school building is outdated and described by some parents as unsafe. The Board of Education decided to build a new Lincoln School near the present structure and submitted the question to a city-wide referendum May 24. Voters supported the plan, although the Lincoln School district itself showed a majority against what they said would only perpetuate a segregated condition.

### Segregation Denied

Dr. Clish asserted that there is no segregation in the New Rochelle Schools, that ten or twelve elementary schools have Negro pupils and two junior and one senior high school. The district lines are established according to classroom capacities and convenience, without regard to race or color, he told Mr. Zuber.

Mr. Zuber recommended that New Rochelle permit elasticity in school districts. He said New York City had adopted this policy in some of its schools. Students would be permitted to attend schools outside their zones, so long as the parents accepted responsibility for transportation and lunch for their children. He said Ward School had been selected for today's test because it has plenty of room for additional pupils.

# INTEGRATION MOVE URGED ON U.N. MEN

The N.Y. Times

## 2 African Delegates Asked to Join Protest on School in New Rochelle

New York

By JOHN W. STEVENS

Special to The New York Times.

NEW ROCHELLE, N. Y., Sept. 25—The parents of thirteen Negro children tonight asked United Nations representatives from Ghana and Liberia to withdraw their five children from the Roosevelt elementary school here.

Mon. 9-26-60

The request, made in protest against New Rochelle's school-integration policies, was transmitted by telegram to Kwame Nkrumah, President of Ghana, who was asked to use his "good offices."

It was sent by Paul B. Zuber of Harlem and Croton-on-Hudson, a lawyer representing eight Negro parents arrested for disorderly conduct last Wednesday when police broke up a sit-down strike at the William B. Ward elementary school, an all-white school in northern New Rochelle.

The permanent United Nations representatives in question are Alex Quaison-Sackey of Ghana, the father of three Roosevelt school pupils, and Nathan Barnes of Liberia, the father of two. The embassies of the two African nations are near the school.

The request for support from the U. N. delegates was hailed at a rally sponsored by the National Association for the Advancement of Colored People at a Masonic temple on Union Avenue. The meeting was attended by more than fifty N.A.A.C.P. members and representatives of other groups opposed to the city's insistence that children, regardless of race, attend schools in their own neighborhoods.

### More Sitdowns Planned

Other developments in the controversy included a decision to resume sitdown tactics at an undisclosed school tomorrow and Tuesday and an announcement by Mr. Zuber that he would subpoena top city officials to appear in City Court when the eight parents are arraigned Wednesday.

Those to be called, he said, would be Mayor Stanley W. Church, Superintendent of Schools Herbert C. Clish, Merryle S. Rukeyser Board of Education president, and Police Chief Edward F. McCaffrey.

Mr. Clish said tonight that "if a sitdown strike is renewed I will take steps to protect the 6,000-plus children from being upset in their orderly education by six parents I don't consider are representative of the parents of the Lincoln School District."

The Negroes charge that the Lincoln School, which is to be replaced by a new and larger building, is inferior and that the concentration of Negro children in that or any school should be remedied.

The Rev. Milton Galamison of the Siloam Presbyterian Church in Brooklyn, a Negro and a leader in the fight for integration in New York City schools, was a principal speaker at the rally. Others were Mr. Zuber and the Rev. Melvin D. Bullock, pastor of the Union Baptist Church here and president of the New Rochelle branch of the N. A. A. C. P.

Among the organizations that joined in support of the Negro parents were the Interdenominational Ministerial Alliance of New Rochelle, the Political Action Unlimited, the Committee for Integration, and the Committee for Racial Equality.

# PARLEY IS SOUGHT ON NEGRO PUPILS

The N.Y. Times

## N.A.A.C.P. Asks New Rochelle School Board to Negotiate on Attendance Policy

New York

## PICKETING IN ABEYANCE

Mon. 10-3-60

## Parents' Lawyer Accuses 2 Education Executives of Undue Influence

P 33

By JOHN W. STEVENS

Special to The New York Times.

NEW ROCHELLE, N. Y., Oct. 2—The National Association for the Advancement of Colored People today demanded a meeting with the New Rochelle Board of Education to negotiate policy differences that have led to "anti-segregation" demonstrations by Negro pupils and parents here.

The association told the board that its demand was "in consideration of the reputation of our city, which is being seriously damaged by the state, national and international publicity given this issue of de facto segregation."

Merryle S. Rukeyser, president of the board, was not at home to receive the telegraphed demand. Herbert C. Clish, Superintendent of Schools, said that he could not speak for the board but felt, personally, that "the parents who have violated the law should first return their children to the school where they belong and then it will be time to talk things over."

He referred to the state education law providing that children between the ages of 7 and 16 must, unless legally excused, regularly attend school sessions.

### Demonstration Put Off

Through their lawyer, Paul B. Zuber of Harlem and Croton-on-Hudson, the twenty-three parents of fifty Lincoln School pupils agreed today to postpone for one week a "bigger and more vigorous" demonstration planned for tomorrow morning at the predominantly-white Roosevelt Elementary School.

The delay had been suggested by the Educational Committee of the New Rochelle Branch of the N. A. A. C. P. in view of its demand for a meeting between the Board of Education and the parents, their attorney and their N. A. A. C. P. advisers.

In a further delevolpment, Mr. Zuber filed with Mr. Rukeyser formal charges against Mr. Clish and Dr. Barbara Mason, principal of the Roosevelt School.

It is alleged that at the Superintendent's invistigation Dr. Mason had unduly influenced white members of parent-teacher associations to vote for construction of a $1,300,000 building to replace the outmoded predominantly-Negro Lincoln School.

Negro opponents of the new school described is as "a chrome-plated palace to perpetuate segregation," and insisted that Lincoln School pupils should be distributed among the city's other schools.

### Counsel Ready to Appeal

Mr. Zuber said that unless the board conducted a hearing on his charges he would appeal to the State Supreme Court or the State Commissioner of Education.

Trial is to be resumed in City Court on Wednesday in the cases of eight Negro parents arrested for disorderly conduct on Sept. 21 when the police broke up a sit-down strike at the William B. Ward Elementary School, an all-white school in northern New Rochelle.

Throughout the controversy the Board of Education has adhered to its "neighborhood-concepts" policy that children, regardless of race, should attend the schools nearest their homes. Mr. Clish has said that the board is trying to improve racial balance in the schools through establishment of better housing patterns.

# HARLEM SCHOOL APPROVED BY CITY

The N.Y. Times

## Board Votes for New P.S. 76 Site After Theobald Says Parents Oppose Shifts

New York

By CHARLES G. BENNETT

The Board of Education is convinced that New York parents want their children to attend schools near their homes, the Board of Estimate was told yesterday.

F 2 & 10-21-60

Dr. John J. Theobald, the Superintendent of Schools, made the assertion as he called on the Estimate Board to approve the Harlem site for new Public School 76. The building is to be a replacement for P. S. 81 near by.

P 33

At Dr. Theobald's urging, the board unanimously approved the acquisition of the site. It did so over the protest of a spokesman for the National Association for the Advancement of Colored People, who argued that P. S. 76 would be one more segregated school in Harelm. The spokesman was Mrs. Leolive Tucker.

The school will rise on the interior of the block bounded by 121st Street, Seventh Avenue, 120th Street and St. Nicholas Avenue.

### Earlier Action Put Off

Because of the sharply divided opinion in Harlem over the advisability of the school, the Estimate Board had deferred action after a spirited public hearing on Oct. 6.

Dr. Theobald told the board yesterday that only a minority of Negro families chose to have their children taken in buses daily to schools at some distance from their homes. The Board of Education, in an integration move, had offered the bus service.

Noting that the Public School 81 was worn out, Dr. Theobald declared: "You must replace schools; you cannot let them fall down."

He was joined in his appeal by the Acting Borough President, Louis A. Cioffi, who asserted: "We would be discriminating against the children of the Harlem community if this new school were not built. Parents who do not want their children educated there can have them bused elsewhere."

Dr. Theobald said the new school would have one teacher for every twenty-eight pupils, compared with one for every thirty-two as the city average.

### Play Site to Be Provided

The assessed value of the plot to be taken for the school is $350,400. Public School 81, across the street, is to be demolished and its site used as a playground for the new school.

In other actions yesterday the Board of Estimate appropriated $300,000 to improve the probation services in the Court of Domestic Relations, and made $200,000 available for the removal of trees uprooted in the city by the hurricane of Sept. 12.

A 1960 capital budget amendment approved by the board will permit the Transit Authority to reallocate $7,400,000 saved through economies in its station lengthening program to purchase sixty new BMT cars.

# 'Segregated' School Hit In New York

NEW YORK (AP) — A group of Negro parents accused the board of education Thursday of setting up a segregated elementary school through a rezoning of school boundaries on the Upper East Side.

A representative of the Urban League joined the parents in voicing the criticism at a meeting at which the new boundaries were announced by Sept. of Schools John J. Theobald.

Theobald defended the charges, saying the school system was faced with a residential pattern in the area that it "must accept." He denied any intent to create segregation, however. The school involved is just inside the Harlem area, which is occupied nearly entirely by Negroes or Puerto Ricans.

The statement contrasted with past announcements by the school board that it would seek to break up racial concentrations in schools by pupil transfers.

## Aiding School Integration

### Support Urged for Federal Aid Measure as Amended

TO THE EDITOR OF THE NEW YORK TIMES:

Your editorial of May 28 entitled "Demagoguery in the Schools" seems to imply that you are more concerned with school construction than you are with the carrying out of the mandate of the Supreme Court.

The editorial is at least confusing, for in one breath you state that "Admittedly, the amendment is ideally desirable; but the plain fact is, and every member of Congress knows it, that no Federal aid-to-education measure is likely to pass if it has that amendment in it." Your position gives rise to a balancing of equities between idealism and expediency, whether to have schools with segregation, or no schools as long as there is segregation.

Every regular reader of The Times knows your previously admirable expressed views on the segregation problem. Then why this sudden about face? If, as you state, there exists "a national crisis in education" and "Federal aid is essential to relieve it," the conclusion is inescapable that you would defy the decision of May 17, 1954, and thrust aside the democratic process in order to erect school buildings.

In other words, the enlightened spirit of humanity must bow to the crass racist and materialistic view of the South; or, stated another way, let us have the buildings now and see about human rights later.

The Times knows very well that if all the members of both branches from the South should vote against the bill, they could not prevent the passage. It is clear, then, that if the bill fails, the blame must be laid at the door of the North with its superior voting power. I believe that your position is wrong, un-American and untenable.

THOMAS B. DYETT.

New York, June 1, 1960.

[Our editorial represented no "about face." It reiterated our frequently expressed position that the elimination of segregated schools is one thing, and the grant of Federal aid to schools is another. We are in favor of both, but we are not in favor of using the segregation question as a means of defeating Federal help to the schools, which is precisely the way many politicians are using it.—Editor, The Times.]

# MALVERNE TO ACT IN SCHOOL DISPUTE

### Racial Segregation Question Is Main Issue in Choice of a Site Wednesday

By ROY R. SILVER

Special to The New York Times.

MALVERNE, L. I., March 19 —The question of possible racial segregation has become a prime issue in a referendum to be held here Wednesday on a new elementary school.

The Board of Education has proposed to build an $828,000 school on a site of six to seven acres at Pinebrook Avenue and Woodfield Road, an area with a large number of Negro families.

The cost estimate includes $115,000 for land acquisition and $713,000 for the building. The site, part of which is known as the "chicken farm," is now owned by a builder who is prepared to put up twenty-five homes.

Residents in the area have asked the board to withdraw the proposal because they fear that the school's student body would be about 90 per cent Negro. They have asked that a proposal for a school at a different site, defeated last December by twenty votes, be resubmitted.

### Locations Compared

The original proposal called for construction of a kindergarten-through-sixth-grade school on a larger, district-owned site at Pinebrook and Ocean Avenues at a cost of $805,000.

In addition to the question of possible segregation, opponents of the plan feel that the original proposal would provide a more centrally situated school.

Roland F. Baldwin, chairman of the School and Community Relations Committee of the Woodfield Road Parent-Teacher Association, said the association objected to the proposed site because "it will not promote the welfare of District 12 children educationally, socially and civically."

He added that "families who desire good education for their children will not consent to have their children go to school on an ethnic reservation."

But the Malverne Taxpayers Civic Association termed the proposal "economical and sensible" and on a site "centrally located in the area of greatest growth that is easily accessible to all children."

A spokesman for the Board of education said the entire problem would be restudied if the proposal should be defeated. Voting will be held in the junior high school gymnasium from 12:15 to 10 P. M.

# White Plains Move To Aid Integration Of School Praised

Special to The New York Times.

WHITE PLAINS, March 28 —White and Negro parents on Monday praised the modification of a redistricting plan that they had feared would result in an almost all-Negro school.

But the parents urged at a hearing that the Board of Education make further changes to assure a "reasonable ethnic and socio-economic distribution" among the city's nine elementary schools.

The attack on the original redistricting plan was led by the inter-racial board of the Rochambeau School Parent-Teacher Association. It protested that the plan would raise the proportion of Negro children at the school, now estimated at 55 per cent.

In reply, the Board of Education decided to remove from the Rochambeau district three of the five units in the Winbrook housing project, which is 97 per cent Negro. With another boundary amendment, the new plan is expected to result in a 46 per cent Negro enrollment at Rochambeau.

Mrs. Charles A. Nelson of the P.-T. A., urged the board to take a fourth unit at Winwood out of the district.

# SHIFTS IN SCHOOLS SET ON EAST SIDE

### Theobald Says Changes Will Reduce Overcrowding and Increase Integration

By LEONARD BUDER

A series of zoning changes, intended to reduce overcrowding and improve integration in some schools in East Harlem, will go into effect next fall.

Dr. John J. Thebald, Superintendent of Schools, announced yesterday that he had approved plans to give part of the present Public School 6 zone in Yorkville to P. S. 198 on the Yorkville-East Harlem border.

The change will affect about 166 children now attending P. S. 6, at Eighty-first Street and Madison Avenue. The school, which is 97 per cent white, draws its pupils from a largely well-to-do residential area. It is regarded as a "prestige school" by both educators and parents.

Public School 198, at Ninety-sixth Street and Third Avenue, is now predominantly Negro and Puerto Rican. The addition of the former P. S. 6 pupils, Dr. Theobald said, will give the school a student body that is 50 per cent Puerto Rican, 25 per cent Negro and 25 per cent white.

### Disclosed at Conference

Dr. Theobald announced the zoning changes, which affect several other schools in East Harlem, at a conference of community representatives called by Mrs. Josephine S. O'Brien, assistant superintendent of schools for East Harlem and Yorkville. At the same time he announced a number of developments designed to give the affected schools improved programs.

Tho proposed rezoning, which has been public knowledge foi months, has touched off considerable controversy in the two communities. Some parents of children at P. S. 6 said that the loss of some pupils would hurt the school and force it to give up special classes for gifted children. Others contended the youngsters would receive inferior education at P. S. 198.

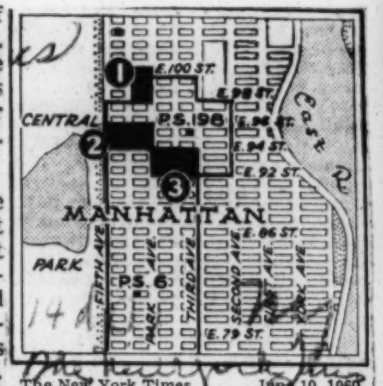
A number of P. S. 6 parents however, joined with parents at P. S. 198 in favoring the rezoning. But they asked that steps be taken to insure that P. S 198 be able to offer all the advantages of a more favored school.

Dr. Theobald said yesterday the P. S. 6 program would not be adversely affected. Rather, he announced, the system was planning to set up at the school a new program for the "specially talented pupil" they would go beyond anything now in the city public schools. This program, he added, would draw pupils from a wide area, perhaps the entitre city.

He also said that special classes for the intellectually gifted would be set up at P. S. 198, and that the school would be provided with such extra services as programs in remedial arithmetic and reading.

While Dr. Theobald's assurances on the educational programs seemed to satisfy some parents in the audience, considerable criticism was voiced over the effects of rezoning on P. S. 171, which will be virtually all Puerto Rican and Negro. A spokesman for a group of parents whose children will be shifted from P. S. 198 to P. S. 171 said that "the removal of our children from a partially integrated school to a totally segregated one is indeed a reactionary measure."

The conference was held at P. S. 116, 210 East Thirty-third Street.




The New York Times June 10, 1960

Rezoning shifts area (1) from P. S. 198 to 171, and (2) and (3) from P. S. 6 to 198.

# School-Bonds Vote Posing New Rochelle Bias Issue

By Denslow M. Dade

NEW ROCHELLE, N. Y., May 21.—Charges that a Board of Education plan to build a new Lincoln Elementary School near the existing one in a Negro neighborhood here would perpetuate de facto segregation will be at issue in a referendum Tuesday, climaxing months of debate.

Voters will be asked to approve a $1,300,000 bond issue to pay for the proposed new school but behind this is a test of majority public opinion in a problem which has split the city and even Negro residents most concerned.

The National Association for the Advancement of Colored People, supported by the Interdenominational Ministers Alliance, Catholic Interracial Council, American Jewish Congress, Westchester Ethical Society, the Committee for Integration of the Public Schools of New Rochele and other civic groups, has asked either that the old school be abandoned and its students, 92 per cent of whom are Negroes, be scattered among the eleven other elementary schools in the city or that at least a kindergarten through third grade be built for only the youngest children.

The present school accommodates 500 pupils, the new one would take only 400 with the overflow going to other buildings. The site would be enlarged from 3.8 to 5.1 acres.

# Negroes Protest At School in White Plains

*Special to the Herald Tribune*

WHITE PLAINS, N. Y., Oct. 17.—Seven Negro parents or guardians of Lincoln Elementary School pupils attempted unsuccessfully today to enroll them in the William B. Ward School on Quaker Ridge Road here, an all-white school.

Today's demonstration was the latest in many efforts of Negro groups to distribute Lincoln School's 93 per cent Negro enrollment among other schools in the district where they live. Residents in the Lincoln district are mostly Negroes.

# Whites Leave Schools in N. Y. Desegregation

NEW YORK, June 28 (AP) Limited progress against heavy odds is the reported result of an effort to combine racial integration with improved education in the schools of America's melting pot.

School Supt. John J. Theobald reported yesterday that the number of so-called "segregated" schools in New York City has dropped in recent years.

But the flow of white children to nonpublic schools has reached the point where about a third of all city children are now in private or parochial schools.

In a progress report, Theobald noted that the number of "segregated" schools last year stood at 56.7 per cent of the total, down from 62.6 per cent in 1957. The report classed a segregated school as one with less than 10 per cent nonwhite or white students.

Three out of four public elementary school children in Manhattan are Negro or Puerto Rican, the report said, with a 2-out-of-5 proportion for the entire city.

There is no legal or intentional segregation in New York schools. But neighborhood racial patterns in some places cause school populations that are almost all Negro or all white.

For several years school authorities have been attempting by several means to achieve greater mixing of the races.

Other points in Theobald's report:

• In the past three years, 53,638 children left the city's elementary schools for private and parochial schools.

• During 1950 to 1958, a total of 835,000 ailen immigrants, Puerto Ricans and Negroes from the South moved into the city, with the last two groups making up nearly 60 per cent of the total.

• In the same period, 1,285,000 persons, mostly whites, left the city.

• By 1980, the city's Negro and Puerto Rican population will grow from 1,650,000 to an estimated 2.5 million.

# N.Y. School 'Segregation' Hit in Court

NEW YORK, Oct. 27 (UPI)—The New Rochelle, N.Y., board of education was accused of deliberate gerrymandering in its neighborhood school policy because it segregated school children, a federal judge was told today.

The parents of 11 Negro children have applied for a federal court order which would permit Negro children to enroll in the nonsegregated public elementary schools in the neighborhood in which they live. New Rochelle is a suburban community close to New York City.

Federal Judge Irving R. Kaufman heard counsel claim the school zoning laws prohibited Negro children from attending any other but a segregated school.

Paul B. Zuber, attorney for the parents, said there is a "racial imbalance" in the school system of New Rochelle. He labeled this "terrible" because, he said, it seriously affects the children in getting a proper education.

Appearing for the New Rochelle school board, Murray C. Fuerst told the court that he wanted it understood that "segregation is not practiced anywhere in New Rochelle and the very thought is repellent to every member of the board."

He then pointed out that a member of the school board, a school principal and the head of adult education, all are Negroes and that there are many Negro teachers in the school system.

After 80 minutes of oral argument, Judge Kaufman reserved decision and gave both sides time to file additional briefs supporting their positions.

# Strike Called By Teachers In New York

NEW YORK (AP) — The first teachers strike in the city's history Monday disrupted the nation's largest public school system. Caught in the dispute over wages and union benefits were a million pupils, some of whom ran wild for lack of classroom supervision.

Leaders of the striking United Federation of Teachers predicted the walkout would snowball among the system's 40,000 public school teachers. The union, claiming only a minority of the total, estimated 15,000 already were on strike.

However, School Supt. John J. Theobold forecast a quick collapse of the strike. He minimized its impact, admitting only that about 4,600 teachers were out. These he ordered immediately suspended. Mayor Robert F. Wagner backed him up.

**REAL TEST**

The strike's real test was expected to come Wednesday. Tuesday and Friday are legal holidays —Election Day and Veterans Day —with all public and parochial schools in the city closed.

Approximately 400,000 pupils in 830 private and parochial schools were not involved in the strike.

The walkout was confined to the city's 837 public schools. Slightly more than 250 were picketed. Most of them managed to eke out a fairly normal day of classes.

# New Rochelle Parents Plan School 'Sit-In'

## Fight for Integration Of Pupils at Lincoln

*Special to the Herald Tribune*

NEW ROCHELLE, N. Y., June 18.—A group of New Rochelle parents decided today to engage in "sit-in" action in September, to fight what they allege is de facto school segregation.

The basis of their complaint is the recent decision by New Rochelle voters to build a $1,300,000 school on the site of the existing Lincoln Elementary School. The school is in a predominantly Negro district and 93 per cent of its pupils are Negroes.

The protesting parents believe that the outmoded Lincoln school should be discontinued and its pupils distributed among the predominantly white schools throughout the city.

In a telegram to Mayor Stanley Church and Kenneth D Low, president of the Board of Education, the parents said:

"Be advised that we, the parents of children forced to attend the Lincoln Elementary School, repudiate your recent Lincoln school referendum. This vote had nothing to do with a school site, but was a vote for a segregated school.

**Hire Lawyer**

"We have retained counsel (Paul B. Zuber, attorney for Harlem parents in a similar fight) and it is our intention that our children will not attend Lincoln school in September. If necessary, sit-in action in other schools will be our remedy . . ."

Reached at his summer home in Croton-on-Hudson, N. Y., Mr. Zuber said the referendum, on May 24, was "a devious means of perpetuating segregation." He spoke against the concept of "neighborhood schools and said it was an "escape hatch" to avoid integrated schools.

If Negroes are obliged to live in Negro districts, he said, the "neighborhood" school is bound to be a Negro school. The objection to the Negro school, he stated, is that it often has a modified curriculum, reflecting the "preconceived" idea of boards of education about the inability of the Negro minority to learn as swiftly as the white majority.

**Calls Referendum Unfair**

Classes in Lincoln Elementary School, he said, were "a year and one-half behind the other schools" in New Rochelle. He called the referendum unfair because "if every Negro in the city voted, they could not have changed the outcome." The vote was 7,992 to 2,330, or better than 3 to 1.

The sit-in action for New Rochelle, he said, would consist of attempts by parents and children to register at other schools throughout the city. "They will go each day to the schools and try to be admitted. It will up to the schools to give the reasons why they cannot register," he said. In the meantime, Mr. Zuber said, he will take the "neighborhood" school principals to court, and seek a decision on its constitutionality.

# Segregation Criticized In East Side School Shift

## Theobald Upholds Move in Reply To Urban League and Parents

By Stuart H. Loory

A major realignment of Upper East Side elementary school district which would create one racially segregated school was announced yesterday by Dr. John J. Theobald, superintendent of schools.

The plan brought criticism from the Urban League and from a parents group in a low income public housing project in the area.

The schools affected are P. S. 198 on Third Ave. between 95th and 96th Sts., P. S. 6 at E. 81st St., which has long served the East Side's silk stocking district; P. S. 171 on E. 103d St. between Fifth and Madison Aves., which would become predominently Negro and Puerto Rican; P. S. 72 on E. 104th St. between Park and Lexington Aves.; P. S. 109 on 99th St. between Second and Third Aves. and P. S. 151 at First Ave. and 91st St.

The part of the switch-about which brought criticism was the transfer of 297 pupils from the P. S. 198 district to the P. S. 171 district. P. S. 171, which was formerly a junior high school, will become a predominantly Negro and Puerto Rican elementary school under the plan.

Mrs. Ethel Schwabacher, citywide chairman of the Urban League Educational Committee, criticized the plan, saying:

"If the Board of Education would work on a broader scale and do (re-district) a whole district, it wouldn't integrate one school and set up a separate but equal facility just a few blocks away." Mrs. Schwabacher referred to the fact that the Board in recent years has realigned other districts in the neighborhood to integrate the races.

Dr. Theobold, admitting that P. S. 171 would be segregated, answered: "I sympathize thoroughly with the point of view you express but I cannot substitute chaos for order." He said integration was only one of the factors taken into consideration in the education of children. He said when too much attention is paid to only one factor to the disregard of others, trouble results in the educational processes.

Edmund Simmons, of 55 E. 99th St., a resident of Carver Houses, a city low rent project, read a prepared statement criticizing the plan. He said:

"It is inconceivable that the representatives of the Board of Education can find justification in their approval of such a plan which denies our children of their right to equal treatment. The adoption of this proposal which means the removal of our children from a partially integrated school to a totally segregated one is indeed a reactionary measure."

Dr. Theobald announced the plan at a meeting of parents and civic group representatives in the offices of Josephine S. O'Brien, Assistant Schools Superintendent, at 211 E. 32d St. Mrs. O'Brien, who is in charge of the East Side's schools from Tenth to 110th Sts., called for parents' co-operation in making the changes successful.

The two administrators promised that the program for intellectually gifted children at P. S. 6, which has made the school a valuable asset to the neighborhood, would not be curtailed. Parents of children in the school did not object yesterday as they had when the Board originally announced a realignment would be made.

A "steady exodus" of white children to private and parochial schools has taken place. One third of all city children now attend nonpublic schools.

Official plans for integration sometimes go awry. Public School 163 in Manhattan was built to accommodate children from two apartment projects. One, tenanted largely by Negroes and Puerto Ricans, had 2,057 apartments. The other, "almost entirely white," had 2,583 apartments. When the school opened, parents in the second apartment project "sent only four children to P. S. 163."

# New York Makes School Integration 'Progress Report'

(Reprinted From U. S. News & World Report)

NEW YORK—From the board of education's "progress report" on integration in New York's public schools:

Three out of four pupils in Manhattan's public elementary schools are either Negro or Puerto Rican; in all of New York City, 2 out of 5 are nonwhite.

# There Is No Monopoly On Racial Problems

A news story from New Rochelle, N.Y., again points up the fact that the South has no monopoly on racial troubles.

Police there Wednesday charged seven Negro parents with loitering when they attempted a sit-in demonstration at an elementary school. The parents charged segregation is practiced in this and other New Rochelle schools.

The race problem, of course, is nationwide. It exists in varying degrees depending upon the makeup of the population. It is vexing and complex and there is no one solution. The way of the extremist, Negro or white, offers none at all.

Only time, understanding and responsible leadership operating within the law will give us an eventual solution. Violence and disprder which lead to bitterness and hate make it all the more difficult to reach a common ground.

# Colored principal rebuffs 13 pupils

NEW ROCHELLE, N.Y.—The colored principal of a school with almost all white pupils refused Thursday to admit 13 colored pupils from a poorer section of the city.

The principal, Dr. Barbara I. Mason, said that she "completely believed in" and would strictly enforce a school board rule that young children attend schools near their homes.

She is principal of Roosevelt Elementary School in the fashionable Wykagyl Country Club neighborhood of upper North Avenue. The children refused admittance are from the old downtown Lincoln School district.

Of the 45 pupils in Lincoln School, 93 percent are colored. The 1898 building is concededly outmoded and is soon to be replaced by a million dollar structure.

Some colored and white leaders oppose construction of the new building, which they say would perpetuate segregation. They want the Lincoln pupils distributed among eleven other schools.

# Negroes Plan 76-School 'Sit-Out' In Brooklyn to Spur Integration

By LEONARD BUDER

A Negro parents' group, demanding greater school integration, has submitted to the Police Department a list of seventy-six public schools in Brooklyn where it plans to hold "sit-out" demonstrations.

The demonstrations, coupled with a pupil boycott, are planned for Monday, when the new school term begins. Parents would bring their children to school, but the pupils would sit outside the building on chairs brought from home, in a variation of the Southern sit-in demonstrations against segregation at lunch counters.

The Rev. Milton A. Galamison, president of the parents' group, the Parents Workshop for Equality in New York City Schools, said the list of schools involved might exceed 150 throughout the city. He said he had pledges of support from more than 1,000 parents.

**Still Hopes for Accord**

Mr. Galamison, a former president of the Brooklyn Branch of the National Association for the Advancement of Colored People, said he still had hopes that differences with school officials could be worked out in time to avoid the demonstration.

The Negro pastor asserted that the parents and children would not obstruct the entrances to the schools or interfere in any way with pedestrians. College students will look after children of working mothers, he said, and lunch will be provided for demonstrators.

Mr. Galamison listed the affected schools in a letter sent Monday to Deputy Police Commissioner Walter Arm. Mr. Arm said last night that he had not yet received the letter, but acknowledged that at a recent meeting with Mr. Galamison he had requested the information so that police assignments could be made.

**Cooperation Urged**

In his letter, Mr. Galamison said "Every effort will be made to conduct our program in a peaceable and orderly fashion. ***Our people have been instructed to cooperate with the Police Department and that they may expected courtesy and respect in return."

School officials had hoped that a new integration policy, announced last week, would mollify the parents' group. The new policy will enable 3,000 children now attending predominantly Negro and Puerto Rican junior high schools to transfer to white and integrated schools in other neighborhoods. By next September, the policy will be extended to some elementary schools.

The move is the first major break in the pattern in which children attend schools in their own neighborhoods. Negroes and Puerto Ricans are often concentrated in certain neighborhoods ,such as Bedford-Stuyvesant in Brooklyn and Harlem in Manhattan, and the schools there in effect have segregated enrollments.

Mr. Galamison, pastor of the Siloam Presbyterian Church in Brooklyn, said the new policy represented a "giant step forward in the direction of equalizing education." But he contended that it offered "no immediate help to 122,000 minority group families" and left many questions unanswered.

# More Race Mixing Due In New York Schools

Washington, D.C.

NEW YORK, Sept. 1 (AP).—The Board of Education has changed school zoning policies in a major move to achieve a greater mixing of the races in city's schools.

The policy had been to require children to attend schools near their home. Many of these schools are overcrowded, while schools farther away have unused rooms.

Parents of thousands of Negro and Puerto Rican children now will be given the option of sending them to racially-mixed or predominantly white schools.

Thurs. 9-1-60

**Segregation Banner**

Racial segregation in New York schools is illegal. Neighborhood patterns, however, result in some cases in school populations that are all or nearly all white or Negro.

The new program, effective at the opening of the term September 12, will affect at the start 21 "sending" junior high schools and 28 "receiving" junior high, and also two senior high schools. The board of education plans to extend the new policy to elementary schools by September, 1961.

At the start, 3,000 Negro and Puerto Rican children could transfer. The total may eventually rise to 15,000.

**Schools Overcrowded**

The "sending" schools—those from which the pupils will be allowed to shift—have the greatest concentration of Negro and Puerto Rican children, at least 85 per cent. A number of these schools are seriously overcrowded.

The "receiving" schools — to which pupils will have the option of shifting—are not being used to capacity. They can take care of at least 10 per cent more pupils.

Dr. John J. Theobald, superintendent of schools, said yesterday the transfers will be made on a "first come, first served" basis. Parents who want their children shifted will have to provide transportation, but they will qualify for reduced fares on public transportation.

**Two Reasons**

The purpose of the program,

# Pupils Will Be Allowed to Transfer From 21 Highly Segregated Schools

New York Herald Tribune

By James J. Morisseau

The Board of Education, in a major departure from its previous school integration policies, announced yesterday that pupils in twenty-one largely segregated junior high schools in Manhattan, the Bronx, Brooklyn and Queens will be allowed to transfer this month to other schools where there is a better "ethnic balance" and where space is available.

A similar policy will be instituted in the elementary schools in September, 1961. One high school is included in the program but, school officials pointed out, borough-wide zoning policies already have resulted in the "integration" of most high schools in the city.

Dr. John J. Theobald, Superintendent of Schools, said at a press conference in board headquarters, 110 Livingston St., Brooklyn, that the new policy would apply to all students, regardless of race, whose parents requested the transfers. This meant that white students, as well as the Negro and Puerto Rican pupils the policy change is intended to help, would be free to transfer elsewhere.

But Dr. Theobald said he did not expect a general exodus among the relatively few white pupils in the twenty-one schools. If some left because their parents did not want them in predominantly Negro and Puerto Rican schools, he added, the schools will be "better off if they lose people with that attitude."

The board, since the reports of its Commission on Integration in 1956 and 1957, has as explained by the board in a statement and by Dr. Theobald at a press conference, is twofold.

The board described the first purpose in this way: "A school can be a good school regardless of ethnic distribution, but there can be little doubt . . . that a school has certain additional values for our democracy if its student body represents a variety of ethnic and religious distributions."

At the press conference, Dr. Theobald said the second purpose is to provide minority-group youth with a "maximum opportunity to grow." He said experience has shown that when a pupil from a poverty-stricken, segregated area gets a chance to study in a racially integrated school with high standards, the student improves his own performance.

He cited one case of a student whose IQ (intelligence quotient) tested at 80 in a segregated school, but tested at 120 after three years of study in an integrated school with higher standards. He indicated that the youth in qquestion was a Negro. The city's school system has about 1 million pupils.

stressed the upgrading of educational opportunity in schools that are segregated because of discriminatory residential patterns and the transfer of students from overcrowded to under-utilized schools in an effort "to give every child a full day's education."

Such transfers, particularly shifts from schools in the Bedford-Stuyvesant section of Brooklyn to Ridgewood and Glandale in Queens in 1959 and from Harlem and East Harlem to Yorkville in Manhattan last September, had the effect of "integrating" Negro and Puerto Rican youngsters into predominantly-white schools.

But the board insisted that [illegible] was to relieve overcrowding and that any integration that resulted was only a desirable by-product. Such transfers, not all of them involving integration, currently affect 30,000 children.

**Object: Integration**

Yesterday, however, Dr. Theobald stated that the new policy of "open registration" or permissive zoning was intended specifically to promote integration.

New York

He indicated that it meant the board's "absolute" policy of adhering to fixed school attendance zones in pupil assignments was a thing of the past. In addition to the schools specifically included in the new program, he said, where "unusual situations" existed anywhere in the city, parents' requests for transfers for educational purposes would be given full consideration.

Dr. Theobald denied that the policy change was prompted by threats from the Parents Workshop for Equality in New York City Schools, a group of Negro parents, to call a school "sit-out" on Sept. 12, the first day of school.

**Planned for 2 years**

Planning for the new policy change had been under way for nearly two years, Dr. Theobald said, and he had come close to postponing yesterday's announcement to avoid the appearance that the Parents Workshop, organized last March, had forced the board to act.

The Rev. Milton A.. Galamison, former president of the Brooklyn branch of the National Association for the Advancement of Colored People and president of the Workshop, had charged that a "serious policy retrenchment" was being planned in school integration.

Mr. Galamison, pastor of the Siloam Presbyterian Church, 260 Jefferson Ave., Brooklyn, had pointed out that no more Negro children would be transferred this fall from the Bedford-Stuyvesant section of Brooklyn to the Glendale-Ridgewood area in Queens.

Dr. Theobold yesterday replied that not enough parents had requested transfers to warrant transfers beyond under-utilized schools in Brooklyn closer to the Bedford-Stuyvesant section. There was no change, he said, in the policy of transfers to relieve overcrowding and, in accord with that policy, brothers and sisters of pupils already in Glendale and Ridgewood schools would be transferred there this fall if they are entering the second grade.

The new policy, it was estimated, will result in the transfer this year of 3,000 Negro and Puerto Rican pupils scheduled to enter the seventh grade, the first year in junior high school.

They will be assigned to twenty-eight "receiving" schools in the four boroughs which have a better distribution of racial and ethnic groups and which have empty seats. None of the receiving schools will be filled to more than 90 per cent of capacity as a result of the transfers.

The process will be repeated with beginning seventh graders next year and again in 1962, until an estimated 7,500 available seats in the receiving schools are filled. A similar step-by-step process will begin in the elementary schools next fall.

Pupils will be permitted to transfer from ten schools in Manhattan, four in the Bronx, five in Brooklyn, and two in Queens, which have Negro and Puerto Rican enrollments ranging from 83 to 99.6 per cent. Most are filled or overcrowded.

The receiving schools, two of them in Manhattan, seven in the Bronx, ten in Brooklyn and nine in Queens, have white enrollments ranging from 75.8 to 99.8 per cent. Between them, they have space this year for 3,066 additional students.

In every case, except Manhattan, pupils will be permitted to transfer only to designated receiving schools in their own boroughs. Manhattan pupils will be allowed to choose Bronx which has an 88 per cent Negro

Students will be permitted to transfer to Franklin K. Lane High School, Jamaica Ave. and Dexter Court, Brooklyn, which has a white enrollment of 77 per cent.

# SCHOOLS ALERTED TO CORRECT BIAS

The New York Times

## Theobald Orders Vigilance in the City to Obviate Dangerous Prejudices

The city schools were directed yesterday to be "on the alert for youngsters who may need guidance to correct dangerous prejudices that could lead them into trouble."

The order was issued by Dr. John J. Theobald, the Superintendent of Schools, at a meeting with the school system's assistant superintendents. The session was held at Board of Education headquarters, 110 Livingston Street, Brooklyn.

In recent meetings with Mayor Wagner, Dr. Theobald had pledged that the system would give added emphasis to its programs to foster better human relations as a result of the outbreak of anti-Semitic vandalism and synagogue and church desecrations in this city and elsewhere.

At yesterday's staff session the Superintendent declared that "the teaching of good human relations is something we have not been neglecting, and as a matter of fact, are doing well."

But he asserted that "in view of contemporary stresses," the schools will have to do even more to encourage better intergroup understanding and unity.

**Agreement on Continuity**

Discussion among the superintendents, most of whom are in charge of school districts, showed unanimous agreement that these efforts should be on a continuous, year-round basis and should not be confined to recent events.

Dr. Theobald said that each assistant superintendent should plan a program of "increased effectiveness" suitable to the community under his supervision and report on this at a later meeting.

Asserting that "preaching" about the need for better understanding was not the answer to the problem, the Superintendent urged the field officials to "get people working at it, instead of merely talking about it."

"Direct participation by youngsters, school staffs and community groups in solving human relations programs can go a long way toward alleviating conditions that spring from misapprehension and ignorance," he added.

Particular attention, he said, must be given to pupils with dangerous prejudices.

The Superintendent said that twenty-seven community coordinators, assigned to field offices over the city, could render valuable services in the schools' effort to improve human relations.

# Denies Negro Pupils Were Searched

New York World Telegram & Sun

Mrs. Minerva Atkins, under fire from the National Assn. for the Advancement of Colored People for allegedly having 54 Negro youngsters "searched" for weapons at a Glendale School, said today that the children were never physically searched, but only ordered to surrender any possible weapons under the honor system.

She also revealed that all 85 white boys in the upper three grades at Public School 91, Glendale, were treated similarly on the same day, Jan. 27, and, if anything, handled more harshly

"I told the Negro children this was for their own protection, but I threatened the older boys with police action," the principal told a reporter at her office in PS 70, 174th St. and Weeks Ave., Bx., to which she was transferred Feb. 1.

The Bronx NAACP demanded that Mrs. Atkins be fired because of the Glendale incident. Yesterday Dr. John J. Theobald, superintendent of schools rejected the demand. The principal also received strong indorsement from her local school board.

Mrs. Atkins told the reporter that it is was not an "anonymous telephone tip," as previously reported, that prompted her calling the children into the Glendale school auditorium, but a tip from a school employee that he had heard youngsters talking about plans to bring weapons to school.

She said that, among the 54 Negro, only two geometry compasses were produced, both by girls, with one toy pistol which a small boy had the habit of bringing to school daily and surrendering to the principal until he went home at night.

"I don't believe in taking toys away from children," she said.

She said no weapons turned up among the white boys. She had warned both groups the day previously not to bring anything to school that could be construed as a weapon, she added.

# 23 NEGRO PUPILS GET NEW SCHOOLS

The New York Times

## Children Kept Home Since September Are Shifted— Theobald Scores Parents

The New York Times

By LEONARD BUDER

Twenty-three Negro pupils whose parents have kept them out of public school since September were assigned to new schools by the Board of Education yesterday.

In announcing the action, Dr. John J. Theobald, the Superintendent of Schools, expressed "disgust" with the "lawlessness' of the parents in violating the state's compulsory school attendance laws.

"The courts will decide what penalties are to be imposed on the parents," he said, "but I must see to it that no further penalties are inflicted on their innocent children."

The parents began to boycott two Harlem junior high schools at the start of the school year to protest what they called "inferior" and "segregated" conditions. They sought unsuccessfully to have their children assigned to schools elsewhere, mentioning Junior High School 52, in the Inwood section of Manhattan, and J. H. S. 141, in the Riverdale section of the Bronx.

**3 Schools Selected**

Dr. Theobald said yesterday that the children would be sent to J. H. S. 44, West Seventy-sixth Street near Columbus Avenue; J. H. S. 115, West 177th Street near St. Nicholas Avenue; and J. H. S. 172, East 116th Street and East River Drive. These schools are out of the predominantly Negro area, although J. H. S. 172 is in East Harlem, a neighborhood that is largely Negro and Puerto Rican.

The decision to reassign the pupils was announced at a hearing in Children's Court involving twenty Negro parents accused of violating the attendance laws.

Paul B. Zuber, a lawyer for the Harlem group, said that the parents had approved the reassignments and would send their children back to school. However, Mr. Zuber said that the parents were not happy about the designation of J. H. S. 172.

Justice Philip B. Thurston, who had previously urged that the pupils be reassigned, said he was pleased that the issue had apparently been resolved.

**Case Adjourned**

He adjourned the case against the parents until March 16, and said that if the children were in school on that date, the parents would not have to appear.

Dr. Theobald's statement was read into the record by Assistant Corporation Counsel Peter J. Flanagan, who represented the board. It said:

"The parents' illegal actions have already brought harm to their children and have created a woeful situation in which I fear that a return of these children to their originally assigned schools might result in even greater detriment to them.

"As Superintendent of Schools, I cannot, in good conscience, permit the lawlessness of the parents to bring further educational harm upon these children, who have already irretrievably lost one-fifth of the junior-high-school life.

**Hinderance Seen**

"I have consulted with many community leaders in Harlem on this matter and they are in solid agreement with me that in contemptuously disregarding the law of compulsory school attendance the parents are hindering the achievement of the very objectives all of us are striving for—the improvement of education, full equality of opportunity for all, and the maximum achievement for the children of our community.

"No matter how worthy one's objectives may be, the law in a democracy is the law of the people and flouting it will of necessity hinder the achievement of these aims and lead only to chaos."

The placement of the pupils in the new schools will be worked out this morning. The pupils had originally been assigned to J. H. S. 136 and J. H. S. 139.

# Bars NAACP Bid To Oust Principal

New York World Telegram & Sun

New York Times

Dr. John J. Theobald, superintendent of schools, today rejected a demand from the National Assn. for the Advancement of Colored People that a Bronx principal be fired.

The principal, Mrs. Minerva Atkins, also received strong indorsement from her local school board.

The NAACP had urged Mrs. Atkins' dismissal because of an incident on Jan. 27 at PS 91, Central Ave. and 69th St., Glendale, where Mrs. Atkins was then principal. After receiving a telephone tip that Negro children were bringing weapons to school, Mrs. Atkins had 65 Negro youngsters searched in the school auditorium.

**Water Pistol, Compasses.**

The frisking turned up only an unloaded water pistol and two geometry compasses.

The NAACP objected to the fact that Negro children—who are taken to the school by bus from Brooklyn's Bedford-Stuyvesant section — were singled out for frisking while white children were not searched.

Dr. Theobald today expressed full confidence in Mrs. Atkins, who on Feb. 1 became principal of PS 70, 174th St. and Weeks Ave., Bx. Her transfer had been pending for some time.

"I know she will do a good job," said the superintendent, "and I call upon the parents to cooperate with her." He said he saw no need to hold a hearing or take any action in the matter.

**Chairman's Support.**

Mrs. Sadye Reiss, chairman of the local school board in the PS 70 district and also president of borough-wide and city-wide organizations of local school boards, called Mrs. Atkins "the kindest, most considerate person I have ever met in my life."

"I have known her for nearly 30 years," said Mrs. Reiss. "She has taught in some very difficult schools and the children and parents have loved her. If the NAACP knew what she was really like they wouldn't say things against her."

# More School Integration Seen in Plan Studied Here

By LEONARD BUDER

A major change in school zoning policies that could lead to greater racial integration in the city's high schools is under consideration by education authorities. Dr. John J. Theobald, the Superintendent of Schools, has diclosed that officials are studying the advisability of giving academic high school students the opportunity of attending schools outside their normal school zones.

However, the Superintendent made clear that while the matter was being "looked at," the system was "not ready to move on this at the present time."

"There are many difficulties that must be considered and should be resolved before we can go ahead," he said, "but we do recognize that there are many values in allowing high schools to draw pupils at large from the city."

One such benefit would probably be a broadening of the social, economic and ethnic range of school student bodies.

**Administrative Reasons**

The change to a form of "permissive zoning," is being considered for administrative and educational reasons. However, it would further break down school boundary barriers that many persons here feel stand in the way of widespread integration in the city's public schools.

It would also, in the opinion of informed sources, move the city closer to the day when some type of permissive zoning may be the rule, rather than the exception, on all school levels in the system.

Permissive zoning has long been sought by many Negroes as well as others here, who feel that it offers a way of overcoming "de facto" segregation in the public schools.

De facto segregation—that is existing in fact but not by law—results because the enrollments of elementay and junior high schols largely reflect the ethnic composition of the neighborhoods in which these schools are situated.

**Exceptions Common**

Although the school system is committed to a general policy of "neighborhood" elementary and junior high schools, transfers of pupils to schools in other areas are not uncommon. However, these shifts have been made in the interests of better school utilization, rather than integration, according to school officials.

During the current term, about 15,000 elementary school pupils have been sent from their regular neighborhood schools, which were over-crowded, to under-utilized schols elsewhere. With one notable exception, the transfers have attracted no major attention.

The exception involved the transfer of 300 Negro pupils from schools in the Bedford-Stuyvesant section of Brooklyn to all-white schools in the Ridgewood-Glendale area of Queens. When the shift was announced last June, it touched off protests from many Queens residents. They charged that the school system was violating the neighborhood school concept and engaging in "forced integration."

When the term began last September, 952 white pupils out of an enrollment of 2,332 at the five affected Queens schools were kept home in a one-day protest. There were also demonstrations outside the schools. Since then there has been sporadic picketing at some schools, the latest taking place last Wednesday.

Another major shift of Negro as well as Puerto Rican pupils will go into effect Feb. 1, when the new term begins. Approximately 450 pupils from over-crowded schools in Harlem and East Harlem will be sent, with their parents' permission, to five under-utilized schools in Yorkville, a predominantly white community.

However, Dr. Theobald and other officials do not expect any trouble this time.

They concede that perhaps the community relations aspects of last fall's Brooklyn-to-Queens shift could have been better handled, and they have taken steps in the hopes of avoiding a similar situation in Yorkville. School personnel, staff members of the city's Commission on Intergroup Relations and community leaders are working to explain the transfer and allay the apprehension of some parents.

In describing these pupil shifts as school utilization moves, Dr. Theobald has insisted that his chief concern was the desire to "make sure that every child gets a full day's education." Whatever integration gains may result from a transfer, he has said, are coincidental, although welcome.

"I will not draw distinctions between children in terms of equality of treatment," he said in a recent interview. He also said that despite the transfers the neighborhood characteristics of the receiving schools would be retained. Thus, the number of pupils transferred to a school has been limited to about one-fifth of the school's enrollment.

Like some white groups that have opposed the transfers, some Negroes feel that the shifts are being disguised as utilization moves when actually they are integration measures.

However, they contend that the transfers are all the more important because of the integration aspect. They would also like to see more such transfers.

Dr. Theobald feels that in striving to provide maximum educational opportunities for all children, regardless of race or other factors, the system is making considerable headway in attacking the segregation problem.

The problem, he said, must be solved "educationally, with the understanding and cooperation of the community. He added that "we cannot do it through fiat."

However, he added, "we are not burying our head in the sand and refusing to face the issue." He said that the system was under a "mandate" from the Board of Education to consider integration in drawing school zones and situating new schools.

On the academic high school level, particularly, this has led to a number zoninz changes in recent years.

Zoning policies now vary among the city's high schools. Some specialized academic high schools—like the High School of Music and Art—and vocational high schools are open to all qualified students, regardless of where they live. Other academic high schools, which are not co-educational, may have zones that take in their entire borough.

**Many Affected**

However, the majority of academic high schools take in a community or a cluster of communities. It is these general academic high schools that would be affected by the changes now under consideration.

Dr. Theobald said that students would be happier "if they could go where they want, and not have school choices dictated by where they live.

However, he said that there are a number of problems that must be considered.

Giving students the option of attending schools of their choice might result in a "student imbalance" among schools. Some way, Dr. Theobald said, will have to be found to equalize the student load and prevent drastic enrollment changes each year.

# Negro Teacher Paid $1,750 After Discrimination Charge

NEWARK, N.J. (AP)—Charles Williams, a Negro teacher who charged the Madison Township Board of Education with discrimination in failing to hire him, has been awarded $1,750 by the board, the State Department of Education announced Saturday.

Dr. Frederick M. Raubinger, State Commissioner of Education, said the adjustment was based on Williams' loss of income because of discrimination in 1958.

Williams, of New Brunswick, has since secured another teaching post.

Williams said in his complaint that the Madison Township Board (Middlesex County) notified him it had a vacancy but when he applied for the job he was never accorded an interview and never offered the job.

The division against discrimination held a hearing and ruled the Madison Board must consider Williams for a position and must compensate him for the time he was not employed.

The board appealed to the courts but later decided to settle the suit.

# 12 Negroes Denied Entry At 2nd New York School

NEW ROCHELLE, N.Y., Sept. 15 (UPI)—Twelve Negro children, ranging in age from 5 to 10, were turned away by a second predominantly white school in this New York City suburb today.

Paul B. Zuber, a Harlem attorney and spokesman for the parents of the children, said they would try to enroll in a third school here tomorrow. He threatened to organize a sit-in to protest "this ghetto-type situation."

The youngsters were turned away from the William B. Ward elementary school yesterday. They were refused by Roosevelt school today.

Roosevelt has some Negro pupils. The children who tried to enroll there live in the district surrounding the predominantly Negro Lincoln school.

Dr. Herbert C. Clish, superintendent of schools, told their parents that they are required to send their youngsters to the school in the district where they live and that this is why they were rejected by the other schools.

# Boycotted Harlem Schools Lack Teachers, N. Y. Admits

NEW YORK — (AP) — The state education department says there aren't enough regularly licensed teachers at three Harlem Junior High Schools which have been boycotted by a number of Negro parents at times during the last two years.

The department also urges that one school—No. 139—be replaced by a modern building, and that remedial programs and supervision of instruction be improved.

**A report by the state department says some unfavorable aspects in the three Harlem schools can be found throughout the city, and in some respects the three schools compare favorably with schools elsewhere.**

The boycotting parents complained that the three schools were racially segregated and inferior. They also charged that the schools offered a watered-down curriculum, had poor remedial reading programs, didn't have enough regular teachers and had bad group guidance.

The state education department report was made public here by the office of Dr. John J. Theobald, city superintendent of schools.

Although the report was focused on the three junior high schools where the 1958 and 1959 boycotts took place, the report said many of the state department's recommendations applied to other junior high schools.

The report dealt with conditions in the schools in the spring of 1959.

# SCHOOL REZONING STIRS EAST SIDE

## Plan to Integrate Districts in Yorkville and Harlem Splitting Residents

## OPPONENTS POST SIGNS

## Shift of 200 Pupils Feared at P. S. 6, Noted as One of the City's Finest

By LEONARD BUDER

In recent weeks owners of automobiles parked on streets in the lower and mid-Nineties between Fifth and Third Avenues have found notices on the windshields reading:

"Did you know that this car will not be in the proposed P. S. 6 district. Stop rezoning. Write, wire, call the following people if you oppose rezoning * * *."

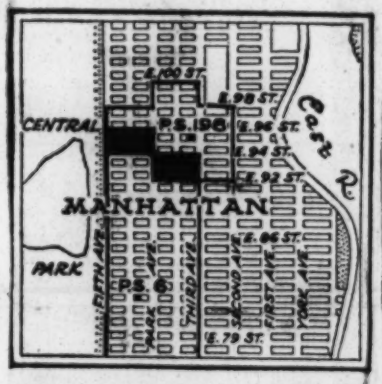
Similar notices have been posted in the lobbies and elevators of some apartment houses and in some shop windows in the area.

These statements do not reflect the views of all the residents in the area — there are many persons who favor or, at least, accept the proposed school changes.

However, the notices are the surface signs of a bitter community controversy that has developed over the impending rezoning of several schools in the Yorkville and East Harlem sections.

### Schools Involved

The two schools that figure most prominently are Public School 6, Eighty-first Street and Madison Avenue, and P. S. 198, a new school that will be opened at Ninety-sixth Street and Lexington Avenue. The new school will replace the present P. S. 86, an antiquated structure also at Lexington Avenue and Ninety-sixth Street.




The New York Times May 9, 1960

Pupils living in two areas (black) are facing shift to new P. S. 198 from P. S. 6.

The controversy stems from a Board of Education move to give P. S. 198 part of the present P. S. 6 zone. If the rezoning plan now under consideration is implemented, about 200 P. S. 6 pupils would be transferred to the new school in September.

The student body of P. S. 6—which is 97 per cent white—is drawn from a generally well-to-do residential area, which has many luxury apartment houses. The school's achievement rates are far above the averages for the borough, and special classes and other provisions are made for gifted pupils.

Many parents who could afford private schools, and normally might have kept their children out of the average public school, have sent their youngsters to P. S. 6. Some parents, in fact, have leased high-rent apartments or bought expensive cooperative apartments to be in the zone.

Now those living in the area from Fifth to Park Avenue, between Ninety-fourth and Ninety-sixth Streets, and from Park to Third, between Ninety-second and Ninety-fourth, face the prospect of being assigned to the new P. S. 198 zone.

P. S. 198, on the boundary line of Yorkville (to the south) and East Harlem (to the north), will be, if the proposed zoning plan goes through, two-thirds Puerto Rican and Negro. P. S. 86, the predecessor school, is 87 per cent Puerto Rican and Negro.

Whereas P. S. 6 has been noted for its educational excellence, old P. S. 86 has had to cope with such problems as many non-English-speaking pupils and the pupil handicaps resulting from poor cultural and economic backgrounds.

Because of the ethnic differences of the schools, the racial angle has cropped up in the controversy. Negro and Puerto Rican parents who would normally be in the new school's zone want as many white children as possible to go to P. S. 198. They say that a truly integrated school would not only be more democratic but would also be more educationally effective.

Backing this position is the East Harlem Project, set up by the Union Settlement and James Weldon Johnson Community Center. This agency feels that if P. S. 198 is to succeed as an integrated school, "a significant number of white children must be assigned to that school across-the-board in every grade from the very start."

Although many in the present P. S. 6 area affected by the proposed change are opposed to rezoning, many others have accepted it and some say they even welcome it. However, those in the last group—like those to the north in East Harlem—insist that P. S. 198 must be made an outstanding school and afford to its pupils every opportunity and educational advantage possible.

Those who oppose rezoning, including the P. S. 6 Parents Association (although some members do not support the organization's official stand), feel that the proposed changes are unwise, unfair and unecessary. They strongly deny charges of bias, and they recommend that more children from other neighborhoods be brought in to P. S. 6 to give it an integrated enrollment.

Among their major points are the following:

¶If 200 children are taken out of P. S. 6 the school would become under-utilized. The transfered P. S. 6 pupils, moreover, would deprive East Harlem youngsters in crowded schools of the opportunity to attend P. S. 198.

¶The P. S. 6 children who are transfered would be deprived of opportunities to obtain the same educational advantages they now receive and would suffer scholastically.

The whole matter is under study by Dr. John J. Theobald, the Superintendent of Schools, and his staff. The actual zoning changes are expected to be announced within a few weeks.

# Integration Issue Tints N.Y. Suburb

NEW ROCHELLE, N.Y. (UPI) —Residents of this fashionable New York City suburb vote today on a school proposal tinged with the racial segregation issue.

The question is whether to build a new school on the site of the 62-year-old Lincoln elementary school, which is 93 per cent Negro, or to close the old school and send the Negro pupils to other — predominantly white — schools in the city.

Opponents of a new school contended in bitter, months-long arguments that a new building would preserve unacknowledged school segregation and deprive Negroes of full educational opportunities.

Supporters of the proposal replied that a new school on the old site is necessary so that children will have schools in their neighborhood. They also said junior and senior high schools are "completely integrated."

# School Vote Seen As Anti-Mix Act

NEW ROCHELLE, N.Y. (UPI) —Residents of this fashionable New York City suburb voted three-to-one Tuesday to build a new elementary school on the site of a predominantly Negro one, despite charges that the new school would preserve de facto racial segregation.

In a heavier-than-usual vote after months of bitter arguments, a $1,300,000 bond issue to finance the new school was approved by 7,992 votes to 2,330 against.

Opponents of the plan, including the NAACP, advocated closing the Lincoln elementary school and sending its pupils to other schools in this city of 75,000.

The school is 93 per cent Negro.

# NEW ROCHELLE SET TO VOTE ON SCHOOL

## Fate of Building Involved in Segregation Dispute Will Be Decided Tuesday

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., May 21—A racial integration problem that has vexed this suburban city of fashionable homes and large Negro neighborhoods for thirty years will be submitted to the voters on Tuesday.

The Lincoln Elementary School is in an old downtown area that is predominantly Negro, and 93 per cent of its pupils are Negroes. The question is whether the outmoded and crumbling building, erected in 1898, should be replaced by a modern structure on the same site or whether the school should be discontinued and its pupils distributed among predominantly white schools elsewhere in the city.

Neither white nor Negro residents are agreed among themselves. Debates have become bitter. The Board of Education says it never before spent so much time on one problem. Civic leaders say, "The South is watching us."

On Friday an appeal by five Negro mothers to bar the board from proceeding with its plan to build a new school on the site was dismissed by James E. Allen Jr., the state's Education Commissioner.

He said that the board had carefully studied the matter and that it had not been arbitrary in reaching its decision.

Dr. Allen also noted that 62 per cent of the community's Negro elementary students attended other schools and that from the seventh grade on all students attended "completely integrated" schools.

Advocates of a new school on the Lincoln site say that they regret the racial imbalance but that school boundaries are needed so children will attend

hools near their homes.

Fourteen parent-teacher associations, including the predominantly Negro one at Lincoln, agree. Other concurring groups include the New Rochelle Federation of Teachers, the Protestant Ministers Association, the Real Estate Board and the Elementary School Principals Association.

Opponents contend that the new school would be a "chrome-plated palace" that would illegally perpetuate a segregated and unequal school to the emotional and academic detriment of Negro youths.

The opponents include the Committee to Defeat the Lincoln Referendum, the America Jewish Congress, the Catholi Inter-racial Council, the Inter denominational Ministers Alli ance, The People's Committee the Westchester Ethical Soci ety, the Committee for Integra tion of the Public School, the Anti-Defamation League and the National Association for the Advancement of Colored People.

**Cost Is $1,300,000**

The community's 72,818 residents will decide whether $1,300,000 should be spent for a new Lincoln School, including $50,000 for enlargement of the site to 5.1 acres. A "no" vote is urged by those who oppose any school on the site.

Coincidentally, votes will be cast at the same time on an unrelated question of $730,000 in bonds for improvement of the Isaac E. Young Junior High School.

The polls will be open from 7 A. M. to 9 P. M. in fifteen schools.

The school board, which voted 7 to 2 for a new Lincoln School, said it wanted full integration of the 11,000 school children in the fifteen schools if it could be based on sound educational policies.

# New Rochelle School Site Upheld By State in Segregation Dispute

Special to The New York Times

ALBANY, May 20 — State Education Commissioner James E. Allen, Jr., today upheld the New Rochelle Board of Education in its selection of a site for a new elementary school.

He dismissed an appeal from five New Rochelle residents who contended that replacing the outmoded Lincoln School on its present site would perpetuate a segregated Negro school.

The residents called on the Commissioner to bar the board from proceeding with its plan and to direct it to choose a different site for the new school.

In a five-page decision, Dr. Allen said the board acted within its rights in deciding last Nov. 30 to build the school at the present site.

"The issue is not whether some other arrangement may constitute a better solution," he said. "The issue is whether the board, after all its investigations and surveys, has been arbitrary in coming to the conclusion it did.

"I cannot find that the action of the board, in determining to replace the Lincoln School with a modern structure and up-to-date facilities, constituted a reversible abuse of discretion."

A referendum on the board's proposal will be held in New Rochelle on Tuesday.

In his decision, Dr. Allen noted that about 93 per cent of the Lincoln School's pupils are Negroes. He pointed out, however, that 62 per cent of New Rochelle's Negro elementary students attend other schools. From the seventh grade on, he added, all students attend "completely integrated" schools.

The Commissioner took note of a report by faculty members of Columbia and New York Universities holding that there was no "ideal solution" to the Lincoln School problem.

The school served a predominently white area when it was built sixty years ago. Since then there has been a steady increase in the number of Negro residents in the area. Until 1949, pupils could transfer from Lincoln to other schools.

Dr. Allen noted the results of a questionnaire sent out by the Lincoln School Parent-Teachers Association. The board's proposal was endorsed by 87 per cent of the parents of Lincoln pupils who answered and by 99 per cent of the nonparent residents.

The Commissioner repeated a statement he made in another case in which he said that a situation similar to the Lincoln School did not oblige a board to "gerrymander" school lines.

Education

# Gain in City School Integration Reported

By James J. Morrison

A slight gain was reported yesterday in the percentage of "integrated" elementary schools in New York City. On the other hand, the percentage of elementary schools with enrollments of more than 90 per cent Negro and Puerto Rican students appears to have increased.

According to a report on school integration released by Dr. John J. Theobald, Superintendent of Schools, the number of "integrated" elementary schools—those with no less than 10 per cent and no more than 90 per cent Negro and Puerto Rican pupils—increased from 211 in 1957 to 247 last year or from 37.4 to 38.5 per cent of all elementary schools.

But the report, entitled "Toward Greater Opportunity," showed that seventy-five schools had Negro and Puerto Rican enrollments of more than 90 per cent last year, as compared to sixty-four in 1957.

**Called Excellent Record**

This, however, was held to be an "excellent" record in view of the rapid changes in the ethnic makeup of the city's public school population.

During the same two-year period, the report pointed out, the number of Negro and Puerto Rican children in the public elementary schools increased from 196,504 to 227,933, or from 35.7 to 40.9 per cent of the total elementary enrollment.

The bulk of the increase was in neighborhoods that already were segregated — "ethnically homogeneous"—or in "fringe" areas, some of which thereby became segregated.

**Cite Exodus to Suburbs**

At the same time, there has been a steady exodus of children—predominantly white — to the suburbs or to the private and parochial schools.

"Changes in neighborhoods are extremely rapid," the report complained, "and it is difficult, if not impossible, to forecast either the nature or the tempo of the change. . . . Sometimes, the total pattern of community change negates our best efforts to establish integrated schools."

The 196-page document is a report by Dr. Theobald and his professional staff to the Board of Education, outlining progress in implementing the recommendations handed down in 1956 and 1957 by the board's thirty-seven member Commission on Integration.

**More Schools Rezoned**

It noted that efforts to encourage integration through the fixing of school attendance zones had been applied wherever possible. Of thirty-three schools opened, rezoned or converted between November, 1958, and June, 1959, twenty-six were integrated.

A total of 25,528 children were transferred through zone changes between September, 1957, and June, 159, to relieve overcrowding in the schools. Most of these shifts, the report said, "improved integration."

Under the board's "permissive" policy, 1,316 pupils have been sent by bus to less-crowded schools this year with their parents' consent. The result has been that "better ethnic balance" was achieved in all but one of the eleven affected schools. Similar transfers planned for September will affect 5,568 pupils.

**New Schools in Plan**

New schools, the report said, have been located, where possible, to promote integration. Of thirty-three elementary schools completed between Jan. 1, 1957, and Dec. 31, 1959, fourteen were integrated, ten had Negro and Puerto Rican enrollments of more than 90 per cent and nine, while and "other" enrollments of more than 90 per cent.

But the report stressed that the neighborhood school concept still formed the basis for pupil placement in the elementary schools and, to a lesser degree, in the junior high schools.

**Based on Housing Patterns**

This concept, taken together with the existing patterns or racial and ethnic discrimination in housing, over which the school board has no control, led to the conclusion in the report that complete integration or even a time table for complete integration is not "a likely possibility" in the near future.

This conclusion is reflected in the balance of the report, dealing with efforts to meet the commission's recommendations for equal educational opportunity for minority groups and other "culturally - deprived" youngsters.

**New Programs Welcomed**

Optimism, even enthusiasm, was shown for a whole series of programs designed to help these children overcome poor family and neighborhood backgrounds, language problems (in the case of the Puerto Ricans) and other educational handicaps.

Stress was placed on the "Higher Horizons" and "Demonstration Guidance" programs, designed to lift the cultural and educational sights of deprived children, as well as on broader programs for the gifted, the retarded and the emotionally-disturbed pupil.

**Reading Unsatisfactory**

The reading program, however, was found to be unsatisfactory, showing only "spotty progress," despite the fact that "no instructional area has been given more time, or attention, or personnel during the past few years."

The report noted that the ration of regularly-licensed (rather than substitute) teachers to pupils in the 249 "special service" schools in difficult neighborhoods had been improved to the point that it outstripped the ratios in other areas of the city.

Preparation of the report was directed by Dr. Jacob Greenberg, Deputy Superintendent of Schools. It was edited by Jacob Landers, principal of Junior High School 64, Brooklyn.

# New Rochelle's Contempt Case Against 8 Negroes Is Dismissed

The New York Times

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., Nov. 4 — Disorderly conduct charges against eight Negroes who tried to enroll children at an all-white school here were dismissed in City Court today by Judge Robert J. Burton.

The Negroes had been arrested Sept. 21 at the William B. Ward School in the fashionable Quaker Ridge neighborhood of New Rochelle, which has a neighborhood school system.

The Negroes were from the downtown district that is served by the Lincoln School, where 93 per cent of the pupils are Negroes and the quality of the education has been questioned. Policemen halted the Negroes at the Ward School before they could enter the building.

Judge Burton had tried the cases a month ago and in a fifty-one-page decision today rejected the Board of Education's contention that the Negroes had been loitering in violation of the state penal law.

The judge ruled that the penal law "cannot be invoked as a complete restraint upon the rights of people to speak freely, to petition those in authority and to protest regulations of boards of education" if school busines were not interrupted.

New York

### 'Not Sacrosanct'

"The rules and regulations of the Board of Education with respect to the doctrine of neighborhood schools," Judge Burton wrote, "are neither sacrosanct nor beyond the Constitutional right of citizens to challenge." He also said:

D 11-15-60

"It is an indispensable part of the price we pay for freedom of speech to permit the entrance into the marketplace of ideas and contentions, which, even though erroneous in law, are entitled to consideration for ultimate acceptance or rejection.

"In a simple rural society a soapbox, a healthy pair of lungs and the ability to walk to the village square give any citizens an opportunity to reach the idea marketplace. However, in large urban communities it is frequently necessary to resort to the dramatic, the offbeat and even occasionally to the poor-taste device to gain attention.

"We must, therefore, protect the right of the dissenter to reach the marketplace even if to do so he must on occasion impinge upon good manners, good taste and good judgment."

The Judge chided the Corporation Counsel's office for contending that a parent's protest should be submitted only to the Superintendent of Schools but he added, "The conduct of citizens on school premises must of necessity be considerably more circumscribed than at a political discussion on the Boston Commons or in Hyde Park in London."

However, he continued:

"To follow the course urged by the People [the plaintiffs] would be to adopt a policy of virtually unlimited restriction. Whether or not we agree with the purposes of these defendants, we must be solicitous of the rights of others to protest,

Concerning charges that the Ward Schools' pupils had become "restless" when the Negroes arrived there, Judge Burton wrote:

"In our complex society, children are aware of many things. Whether the subject matter which reaches the ears of children relates to an impending hurricane, dispute as to New Rochelle school policies, a crisis at the United Nations or even the world series, it would hardly seem to be a reason for insulating our children against such news even though it might make them restless."

The Judge noted that the legality of New Rochelle's neighborhood school policy was about to be tested in Federal court.

The defendants were Paul D. Dennis, Mrs. Hallie Taylor, Mrs. Marjorie Williams, Mrs. Barbara Hall, Thomas Garland, Wilbert Taylor, Mrs. Willene Murphy and Rudolph Wiliams.

---

### Federal Trial Put Off

Federal Judge Irving H. Kaufman yesterday rescheduled until next Tuesday the trial on the New Rochelle schools.

The trial originally had been set for today. However Judge Kaufman adjourned the case at the request of lawyers for the New Rochelle Board of Education.

14d(1) 1960

# CITY SCHOOLS DISRUPTED BY STRIKE OF TEACHERS, 4,600 SUSPENDED BY BOARD

## SCOPE IS DISPUTED

## Union Says 15,000 Joined in Walkout—No Meetings Set

By LEONARD BUDER

A strike of teachers disrupted operations at scores of public schools here yesterday, causing some to curtail class schedules. It was the first teachers' strike in the city's history.

Students took advantage of the situation in a few instances by staying out of school and staging demonstrations of their own.

The Board of Education retaliated by suspending 4,600 teachers who, it said, had gone on strike or had refused to cross picket lines. It charged them with conduct unbecoming members of the staff, but it said they could return to work pending disposition of the charges.

If found guilty, the teachers could be discharged or stripped of tenure rights for five years and future salary increases for three years.

Charles Cogen, the president of the United Federation of Teachers, the only teachers' organization striking, said that more than 15,000 teachers were out. He predicted that the number would "snowball" as the stoppage continued.

### Demands by Union

The union, which claims to represent 10,000 of the city's 37,885 teachers, called the strike over demands for improved working conditions and salary schedules.

Dr. John J. Theobald, the Superintendent of Schools, scoffed at the assertion that 15,000 teachers were out. "That is pure nonsense," he said. "Mr. Cogen is either misinformed or he is lying." The Superintendent added that his information was that the "strike is blowing up."

The Federation has charged that the Board of Education broke a promise, said to have been made at a meeting last May, to hold collective bargaining elections. In apparent conflict with this claim, a memorandum of the minutes of that meeting obtained yesterday, signed by an official of the board, records only an agreement by the Superintendent to recommend collective bargaining "if details can be worked out."

No attempts were made yesterday to settle the over-all dispute and no moves are scheduled for today, which is a school holiday because of the election.

Mr. Cogen said the next move must come from school authorities because the federation had already expressed its willingness to negotiate.

The impact of the strike was hard to gauge, but it was obvious that the junior high schools and, to some extent, the academic high schools bore the brunt of the walkout. According to the Police Department, 267 schools were picketed by a total of 2,000 teachers. Mr. Cogen, however, said that there had been about 7,500 pickets.

### Demonstrations Orderly

The demonstrations by the striking teachers were orderly. The strikers paraded outside school buildings, carrying placards in support of their demand for a collective bargaining election, duty-free lunch periods and other improvements.

According to reports, there was no attempt to interfere with those teachers who crossed the picket lines to go to work. Many who joined the strikers said they were members of other organizations not supporting the walkout.

Strikers at one school urged a kindergarten teacher to go to work and take care of her young pupils who were arriving by bus. At some schools, students milled outside and were advised by the pickets to go to class. Some youngsters, however, said they would not cross picket lines.

At Stuyvesant High School in Manhattan, a select school for science-minded boys, about half of the 2,500 students failed to go to class when they saw pickets. They started chanting "Hold that line" to the pickets and later switched to "Let's go home"—and they did.

At the Bronx High School of Science, another of the city's "showcase" schools, about 800 of the 2,800 students were absent. Some of the students heckled teachers who crossed the picket lines before they were told to stop by the strikers. A few boys carried makeshift signs reading, "Students Support the U. F. T."

### Effect Minimized

Dr. Theobald summed up the strike's impact by saying that all schools were open and operating and that only relatively few had experienced "serious difficulties."

He said that classes had been consolidated at some schools and that various emergency measures—including the deployment of teachers normally assigned to office jobs—had partly enabled the schools to cope with the emergency.

The Superintendent said that the schools could make adjustments to handle absences ranging up to half their staffs but that they would face difficulties beyond that point.

According to the board, thirty-one of the city's 126 junior high schools had more than half of their teachers out yesterday, and fifty-six others reported absences that ranged from a fifth to a half of their staffs. Only twenty-three of the schools reported normal teacher attendance.

### High Schools Affected

Of the city's fifty-six academic high schools, three reported that more than half their teachers were out, and twenty-eight said that more than a fifth of their teachers were absent. Normal conditions were reported by fifteen schools.

Only one of the nineteen vocational high schools was said to be experiencing serious difficulty, but nine others had larger than normal absences.

Normal conditions were reported by most of the 591 elementary schools in the system. However ten schools said that as many as a third to a half of their staffs were absent.

Mr. Cogen, charged that conditions were far more serious than the board had conceded. He said that "Dr. Theobald is only trying to fool parents, saying that a school is open just because the front door is open." He said that 85 per cent of the jurior high schools, as well as many other schools, "have been turned into custodial institutions."

"Dr. Theobald is learning today what anw sensible person should have known all along," he said. "The schools of New York City cannot operate without teachers."

Mr. Cogen asserted that in most schools children had spent the day watching movies and playing tic-tac-toe in auditoriums and cafeterias because there were not enough teachers working to cover classes. At some schools, he said, student-teachers and parents were placed in charge of classes.

### State Law Not Used

Dr. Theobald's action in suspending the striking teachers was taken under a by-law of the education board and not under the state's Condon-Wadlin Law. This law, which the superintendent previously said he would invoke, prohibits strikes by public employes under penalty of instant dismissal.

According to most interpretations, the law is self-executing—that is, it goes into effect when there is a strike by public employes. Employes so dismissed may be rehired, but they must go on probation for five years and forfeit pay rises for three years.

Dr. Theobald said yesterday that he did not invoke the law because the law presumes the guilt of those who are absent from their jobs and requires them to prove their innocence.

The New York Times

**TEACHERS STRIKE: Lee Gillen ties sign on Mrs. Ethel Lewensohn on the picket line at Seward Park High School in Manhattan. Teachers' strike was first in city history.**

# Text of Memorandum on School Talks

*Following is the text of the memorandum of the minutes of the disputed meeting of the Board of Education on May 15, as recorded by an official of the board:*

The meeting opened with Mr. Cogen outlining the program of the United Federation of Teachers, which included the following items:

1. A basic salary schedule from $4,900 to $8,900 in thirteen (13) equal steps, plus two differentials for Master's and Doctorate at $500, plus a third special differential of $500 to $1,000.

2. A voluntary check-off of union dues.

3. Sick-leave allowance for regular substitute teachers of ten days a year.

4. A junior high school work schedule of 25-5-5 [a thirty-five-period week consisting of twenty-five classroom periods, five periods of administrative duty and five free periods].

5. A duty-free full lunch period for all teachers.

6. A collective bargaining election among all teachers to determine exclusive collective bargaining representative.

The Superintendent responded by outlining steps which he has already taken to implement in part the recommendations contained in Number 3, 4 and 5.

With respect to Item No. 2, the Superintendent indicated that he has already discussed a check-off policy with the Board of Education and that he would be willing to recommend that the Board of Education approve a voluntary check-off privilege be accorded to all teachers who wished to avail themselves of it.

In the matter of collective bargaining, after considerable discussion, the Superintendent stated that he believed in the concept of exclusive collective bargaining. He further stated that if details can be worked out he would recommend to the board a policy of approval in principle of collective bargaining by a majority vote of the teachers in an appropriate unit.

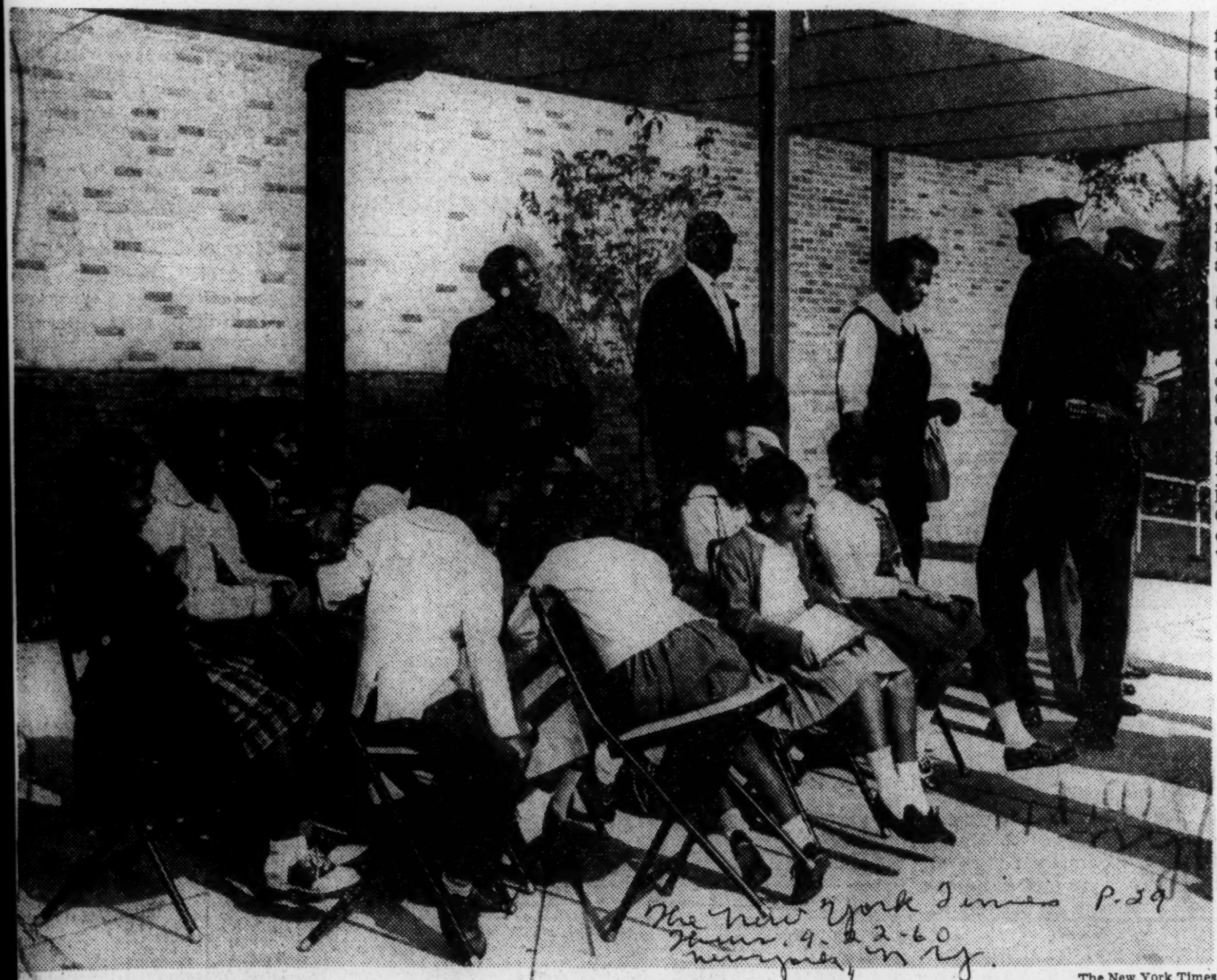
Further discussion ensued with respect to proposed changes in the new teachers' salary schedules. The Mayor indicated that he was sympathetic but since no additional funds were available he was unable to offer any modification of the proposed schedules.

After further discussion, it was agreed that the United Federation of Teachers would release a statement outlining their program as stated above and that the Superintendent would indicate the steps he is taking to implement those parts of the program regarding sick leave for regular substitutes, junior high school work schedule and duty-free lunch period.

The Superintendent would also state publicly that he would recommend to the board the approval of a policy for a voluntary check-off of dues and the implementation of collective bargaining.

President Silver indicated that he personally was sympathetic to the proposals but that the matters of collective bargaining and check-off would require formal approval by the full Board of Education.

The meeting adjourned at 9:15 P. M.



The New York Times

**SCHOOL SIT-DOWN STRIKE: Police issue summonses to parents of Negro children at the William B. Ward Elementary school in New Rochelle, N. Y. Children had been refused enrollment because they did not live near school.**

# New Rochelle Quashes School Sitdown by Negroes

## 23 Adults and Pupils Ejected at White Elementary Unit

By MERRILL FOLSOM

NEW ROCHELLE, N. Y., Sept. 21—Twenty-three Negroes, including thirteen children, began a sitdown strike today in front of the William B. Ward Elementary School, an all-white facility in the fashionable Quaker Ridge neighborhood of North New Rochelle.

The children had been refused enrollment at the school because they did not live near it. They are assigned to a school two miles away where 93 per cent of the children are Negroes.

The police promptly evicted the group and accused eight of the adults of disorderly conduct for trespassing on school property. This could lead to $50 fines and six-month jail sentences.

But the Negroes welcomed the prosecutions, declaring the cases would be carried to the United States Supreme Court if necessary to enjoin this city from continuing "school segregation just as bad as any in Alabama and Arkansas."

The parents of seven children also were accused by school officials of violating the State Compulsory Education Law by allowing the children to roam the city as segregation-objectors instead of attending classes at the old downtown Lincoln School in their neighborhood. The parents must appear in Children's Court.

The Negroes contend the Lincoln building and instruction there are inferior. Last week they sought admission to seven other schools, including Ward.

A rule of the local school board requires all elementary children to attend schools in their own neighborhoods. Dr. Herbert C. Clish, Superintendent of Schools; Merryle Stanley Rukeyser, president of the school board, and Murray C. Fuerst, Corporation Counsel, were waiting with policemen at the Ward School today to enforce the rule.

The Rev. Melvin D. Bullock, pastor of the Union Baptist Church and president of the local branch of the National Association for the Advancement of Colored people, was a leader of the Negroes. Paul B. Zuber, a Harlem lawyer, also came.

When the police and Mr. Fuerst met them at the curb and warned that summonses would be issued, the Rev. Mr. Bullock said, "Let us pray," and while every head was bowed he continued:

"Father God, we thank thee for the Constitution and for those who framed it and for the freedom we now enjoy and for the freedom we are striving to attain.

"May God bless these parents who are striving for modern education for their children and may God bless the city officials who are unaware in their dilemma of the offense they are committing against human justice and the right to protest."

Then the group marched to the front terrace of the school and sat down on folding chairs.

Mr. Fuerst tried vainly to induce Mr. Zuber to start a mandamus suit in State Supreme Court instead of having his clients prosecuted.

Mr. Zuber said he had been in integration fights for three years and he preferred to start here with arrest cases in City Court to prove that New Rochelle's "Mason and Dixon line" was illegal.

## N.Y. Rebuffs Negro Pupils

NEW ROCHELLE, N.Y. (AP). Thirteen Negro children attempted unsuccessfully Wednesday to enroll in an all-white public school.

School authorities held that the children lived outside the district covered by the school.

Thomas Garland, one of the parents and a spokesman for the Negro group, said the effort was part of a campaign to end what he called school segregation resulting from segregated housing patterns.

The children have been instructed to enroll in the all-Negro Lincoln School because their homes are in that school's district. The parents have refused to enter them there and have provided tutoring for them since schools opened last Thursday.

# INTEGRATION PLAN BEGUN FOR PUPILS

## 284 in 3d to 5th Grade in 16 Schools Transferred to Other Neighborhoods

The transfer of pupils from predominantly Negro and Puerto Rican elementary schools to schools in other neighborhoods began here yesterday. School officials said all of the transfers should be completed by the end of the week.

The elementary school division of the Board of Education approved 284 transfers from sixteen schools to thirty-one others.

Pupils in the third, fourth and fifth grades were eligible for reassignment to other schools this fall as a preliminary to full-scale open enrollment on the elementary level next September.

Under a similar arrangement earlier this year, 393 junior high school students were transferred to schools outside their neighborhoods. Dr. John J. Theobald, Superintendent of Schools, has described the integration move as a "great success" although only a small fraction of the 20,000 pupils eligible for transfer have applied.

In the four boroughs included in the program, ninty-six transfers were made from Queens elementary schools, eighty-eight in Brooklyn, seventy-five in Manhattan and twenty-five in the Bronx. Richmond was not included because there is no problem of minority group concentrations there, school officials said.

The schools receiving the greatest numbers of transfer students are: Brooklyn, Public School 221, at 791 Empire Boulevard, forty-eight pupils; Queens, P.S. 176, at 121st Avenue and 235th Street, Cambria Heights, twenty-seven pupils; Manhattan, P.S. 69, at 125 West Fifty-fourth Street, twenty-six pupils; and the Bronx, P.S. 11, at 1257 Ogden Avenue, eleven pupils.

# Negroes Hit New School Snag in N.Y.

NEW ROCHELLE, N.Y., Sept. 26 (UPI)—A group of determined Negro parents in New Rochelle, N.Y., ran into a second legal roadblock today in their efforts to register their children in predominantly white elementary schools.

Murray C. Fuerst, New Rochelle corporation counsel, handed the attorney for the parents a temporary restraining order when they rolled up to Roosevelt Elementary School in the fashionable Quaker Ridge section.

Five of the 555 pupils at Roosevelt are the children of two Negro delegates to the United Nations. One other Negro child also is registered at the school and the principal, Dr. Barbara T. Mason, is a Negro.

The parents brought 13 children to the school to stage a sit-in demonstration in an effort to get school officials to accept their children.

Last Wednesday, eight Negro parents were given summonses for loitering when they attempted to hold a sit-in at the all-white William B. Ward School.

The parents began their efforts to obtain registration for their children two weeks ago, charging that their own school district is unsuitable for a proper education and that it is segregated.

trict.

**PROVIDED TUTORING**

The parents have refused to enter them there and have provided tutoring for them since schools opened last Thursday.

The children were accompanied to the all-white Ward Acre School Wednesday by parents and an attorney, Paul B. Zuber of New York.

Zuber said a similar attempt would be made Thursday at the Roosevelt School, also white.

He said that if that and further efforts are unsuccessful the children and parents intend to go to one of the white schools next week and wage a "sit in" protest. He said the group would take chairs along so the children could sit in corridors if they are not permitted in classrooms.

New Rochelle is a city of more than 70,000 population in New York City's suburban Westchester County.

# Few Negroes or Puerto Ricans Use Right to Change Schools

A total of 284 Negro and Puerto Rican elementary school pupils—less than 4 per cent of the number that might have applied—will be transferred to other schools next week in line with the Board of Education's "open enrollment" integration policy.

The new policy, which first went into effect in junior high schools last month, is intended to give pupils attending predominantly Negro and Puerto Rican schools an opportunity to transfer to under-utilized schools that have white or integrated enrollments elsewhere in their boroughs.

The first transfers, which were limited to junior high school pupils starting the seventh grade, resulted in 393 moves. Approximately 12,000 pupils in twenty-two designated schools were eligible for transfers, and school officials had estimated that about 3,000 children would make the change.

In releasing the elementary school figures, officials did not comment on the number of transfers, which were only a fraction of a percentage point more than for the junior high schools.

Some disappointment was expressed last month over the smallness of the junior high school transfer group, especially since the new enrollment policy had been hailed by members of the Negro community and others in the city as a major integration step.

One official has asserted that Negroes and Puerto Ricans apparently want the right to send their children to schools in other areas, even though they do not necessarily want to send them.

# Negroes Lose Mixing Bid In New York

NEW ROCHELLE, N.Y. (AP)—Thirteen Negro children attempted unsuccessfully Wednesday to enroll in an all-white public school.

School authorities held that the children lived outside the district covered by the school.

Thomas Garlan, one of the parents and a spokesman for the Negro group, said the effort was part of a campaign to end what he called school segregation resulting from segregated housing patterns.

The children have been instructed to enroll in the all-Negro Lincoln School because their homes are in that school's district.

# 4600 Teachers Suspended in Strike Closing Many New York Schools

NEW YORK, Nov. 7 (AP)—The first teachers' strike in the city's history today disrupted the Nation's largest public school system. Caught in the dispute over wages and union benefits were a million pupils, some of whom ran wild for lack of classroom supervision.

Leaders of the striking United Federation of Teachers predicted the walkout would snowball among the system's 40,000 public school teachers. The union, claiming only a minority of the total, estimated 15,000 already were on strike.

However, School Supt. John J. Theobold forecast a quick collapse of the strike. He minimized its impact, admitting only that about 4600 teachers were out. These he ordered immediately suspended. Mayor Robert F. Wagner backed him up.

**Real Test to Come**

The strike's real test was expected to come Wednesday. Tuesday and Friday are legal holidays—Election Day and Veterans Day—with all public and parochial schools closed.

Approximately 400,000 pupils in 830 private and parochial schools were not involved.

The walkout was confined to the city's 837 public schools. Slightly more than 250 were picketed. Most of them managed to eke out a fairly normal day of classes. But several were forced to close at noon. In others, classes were forgotten and pupils herded into auditoriums and cafeteries for supervision—but no instruction.

**Try to Fill Gap**

In an attempt to fill gaps in the teaching ranks, the Board of Eduction pressed supervisory personnel into classroom assignments.

Some of the biggest of the city's schools were forced to close. Thousands of students joined their teachers in revolt, storming from classes, indulging in minor vandalism and shrieking in unison: "Come on out—no school today."

Theobold, in addition to suspensions, threatened to invoke the state's Condon-Wadlin antistrike law which provides automatic dismissal for public employes who strike.

*Picture on Page A15*

The UFT, one of 39 teachers organizations in the city, launched its st rike in a demand for duty-free lunch periods, additional sick leave, and higher salaries for teachers, who now earn from $4800 to $8300 a year.

The Board of Education agreed in principle to two other demands, a union dues checkoff system and steps toward collective bargaining.

Half of the 3500 students at Stuyvesant High School on Manhattan's Lower East Side refused to cross picket lines to enter their classes.

About 100 of the Stuyvesant students moved on nearby Seward Park High, where they hurled balls of wet tissue paper, smashed one classroom window, then fled before the arrival of an added emergency force of police.

# BIAS SUIT IS FILED ON NEW ROCHELLE

## Schools Are Sued in Federal Court on 'Segregation'

By EDWARD RANZAL

The New Rochelle Board of Education was charged with operating "racially segregated public elementary schools" in a suit filed in Federal Court yesterday.

The action, brought by the parents of eleven Negro children, seeks to force the Board of Education and its superintendent, Herbert C. Clish, to enroll the children in nonsegregated schools.

Federal Judge Irving R. Kaufman ordered Mr. Clish and the board to show cause on Thursday why the children should not be registered in nonsegregated public elementary schools in the neighborhood in which they live.

The parents contend that the "neighborhood school" pattern established by the board is both unlawful and unconstitutional.

The suit also seeks to restrain Mr. Clish and the board from prosecuting the parents who were arrested on charges of loitering on school property while attempting to register their children at the William D. Ward Public School on Sept. 21.

On Sept. 26, the State Supreme Court in Westchester County issued a temporary injunction against the entry of any protesting groups on any school premises.

The temporary order was based on an affidavit by Mr. Clish that said, in part, that an attempted sit-in demonstration by Negro parents and children at Roosevelt Elementary School was "calculated to and did create a dramatic and emotional impact upon pupils and public."

The parents say they have been subjected to "undue harassment, inconvenience and personal discomfort" by agents and employes of the board.

As a result of the policy, the suit says, the children have been required to attend the Lincoln Elementary School, a "completely Negro segregated school."

# NEGRO PRINCIPAL REBUFFS NEGROES

## She Refuses to Enroll 13 in New Rochelle Zone Fight

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., Sept. 15—The Negro principal of a school with almost all white pupils refused today to enroll thirteen Negro pupils from a poorer section of the city.

The principal, Dr. Barbara T. Mason, declared that she "completely believed in" and would strictly enforce a School Board rule that young children attend schools near their homes.

She is principal of Roosevelt Elementary School in the fashionable Wykagyl Country Club neighborhood of upper North Avenue. The children she turned away are from the old downtown Lincoln School district.

Of the 475 pupils in Lincoln School, 93 per cent are Negroes. The 1898 building in concededly outmoded, but it is about to be replaced by a $1,300,000 structure. Some Negro and white leaders oppose replacement, which they say would perpetuate segregation, and they want the children distributed among eleven other schools.

Yesterday in advance contingent of Negro parents tried vainly to enroll in the all-white William B. Ward School.

Today, four Negro mothers took thirteen children to Roosevelt School, accompanied by Paul B. Zuber, a Harlem lawyer. Roosevelt has 555 pupils, all living near by. Six of them are Negroes, the children of Alex Quaison-Sackey of Ghana and Nathan Barnes of Liberia, delegates to the United Nations.

Waiting at Roosevelt School were Dr. Herbert C. Clish, Superintendent of Schools, and Merryle Stanley Rukeyser, a New York economist who is president of the School Board.

They assured the Negroes that patterns of residential development here and not any desire of the school officials were responsible for racial imbalance in the schools.

Mr. Rukeyser reported that the school board was helping to put in motion a municipal study to improve the Lincoln district's housing, with better racial balance presumably resulting.

Dr. Clish said that to set up a school bus system, which would necessarily have to serve private as well as public schools, would cost more than the statutory limit for education allowed and would "bankrupt" the instruction program.

**Calls Sorting Un-American**

"I do not believe in playing God and sorting people according to race, color and creed," Dr. Clish said. "The abolition of our school districts so that the pupils could be redistributed according to color would be completely un-American."

Mr. Zuber replied that the basic motivation in not admitting the Negro children to predominantly white schools was that "the people are afraid that the Negroes then will buy houses in the neighborhoods and still more Negroes will move in." He said Negro house buyers had been repeatedly spurned in the Ward and Roosevelt districts.

The lawyer said no bus transportation was wanted for the Negro children, since the parents would drive children to school. He said they currently were providing private tutors.

After enrollments in other schools are attempted in the next few days, Mr. Zuber said, the Negro parents and pupils will conduct a sit-in strike at one of the schools, bringing their own chairs and school books. He said it probably would begin Wednesday at Ward School.

Dr. Clish said the mere presence of the children in a school would not clear them of truancy and he doubted that the private tutoring would either.

# Negro Youngsters Refused at New Rochelle School

The New York Times

**Dr. Barbara T. Mason, principal of Roosevelt Elementary School, tells parents of Negro children from another district rules require children to go to school near their homes.**

# NEGROES TO PICKET IN NEW ROCHELLE

## Marchers at School Seek Balanced Integration on a City-Wide Pattern

By MERRILL FOLSOM

Special to The New York Times.

NEW ROCHELLE, N. Y., Oct. 1—The neighborhood-school concept, which prevails in most suburban areas, is being challenged here. Negro opponents of the system want pupils of all racial backgrounds mixed in all the schools regardless of where the pupils live.

The Negroes propose to picket a predominantly white school Monday to protest against the old downtown Lincoln School, where 93 per cent of the pupils are Negroes.

The School Board reaffirmed plans today to spend $1,300,000 to replace Lincoln School with a modern building. Those Negroes who object say it will be a "chrome-plated palace to perpetuate segregation."

Perkins & Will, the architects, said that final drawings would be completed in February and that the school would be ready in September, 1962.

District 8 of Greenburgh, an area of five square miles adjacent to White Plains, ended neighborhood schools in 1951 to provide racial balance. One-third of the 1,900 elementary pupils are Negroes. One school in a Negro neighborhood had been almost entirely Negro under the abandoned system.

Dr. George Fitch, supervising principal of District 8, said the current system was "working very well," although some pupils lived next door to schools and must attend others two miles away.

Under this system the district spends $86,000 a year for buses for children. All kindergarten pupils go to the old Warburg mansion near Central Avenue.

A new building in the same area accommodates all first and second grades, an old building on Tarrytown Road has all third and fourth grades, and an old building on Dobbs Ferry Road has all fifth and sixth grades. The junior high school on Hillside Avenue has older pupils and the White Plains High School accommodates the others. The district is building its own high school.

In New Rochelle, the junior and senior high schools are integrated, but twelve districts have neighborhood elementary schools exclusively for the children of the districts.

"The neighborhood-school concept is in effect in most of the United States," said Dr. Herbert Clish, Superintendent of Schools here. "New Rochelle public schools are not segregated," he said. "The schools reflect residential neighborhood patterns. Of all Negro children attending elementary schools, only one-third are in Lincoln.

"Two-thirds attend other elementary schools, with the percentages varying from 1 per cent to over 50 per cent. The reason these children attend these other schools is that they live in these school neighborhoods. There are no so-called lily-white schools in New Rochelle."

Dr. Clish noted that the schools here had some Negro teachers and administrators and that the Board of Education was trying to improve racial balance through better housing patterns.

# Negroes to Sit In At N. Y. School

NEW ROCHELLE, N. Y., Sept. 20 (UPI).—An attorney for a group of Negro parents announced Tuesday that a sit-in demonstration would be held Wednesday in the William B. Ward elementary school in New Rochelle, N.Y.

The attorney, Paul Zuber, of Manhattan, said about 20 children between the ages of five and 10 and 10 older persons would take part in the demonstration.

The action will be taken, according to Zuber, in an effort to have New Rochelle school officials admit the children to predominantly white schools outside of their regular district.

# New Rochelle Says Status Quo Is Only Course on Negro Pupils

Maintenance of the status quo at New Rochelle's almost all-Negro Lincoln School is the only course now open to the school board, a former president of the board testified yesterday.

Kenneth B. Low, a member of the board from 1950 until last June 30, and its president from 1948 until then, was the sole witness yesterday at a hearing in United States District Court.

The hearing, before Judge Irving R. Kaufman, is on a petition on behalf of seven Negro pupils for a temporary injunction to bar the school board from forcing them to attend the Lincoln School. It was the first day for the defendants.

### Sees No Gain in Shift

Under questioning by Julius Weiss, associate counsel for the board, Paul B. Zuber, counsel for the pupils, and Judge Kaufman, Mr. Low said that he had been concerned about the "racial imbalance" at the school; that studies had been made by outside consultants of the general needs of the school system, of the twelve elementary schools in it and of the panicular problems of Lincoln.

Despite "intensive study" by the board, Mr. Low testified, he believed that any change in school district lines would result in more, instead of less, concentration of Negroes in the Lincoln School.

Mr. Low insisted that the school board should remain firm in refusing to allow pupils to go to elementary schools outside their districts.

He said that more than a decade ago, when such transfers were permitted, white parents had withdrawn their children from Lincoln until it was 100 per cent Negro.

Judge Kaufman asked the witness why a redistricting plan projected for the Lincoln School, when it is rebuilt for 400 instead of the present total of 500 pupils, could not be carried out now.

Under this plan, the 100 "extra" children would be distributed in five surrounding schools, all of which have a smaller proportion of Negro pupils.

Mr. Low said that such a course would be "administratively unwise."

Judge Kaufman told Mr. Low later that he was "suggesting the impossible" by contending that the only thing Negro parents had to do to get their children out of the school was to move to another district.

Judge Kaufman said that the school board "must lead the way."

The hearing was adjourned until 10:30 this morning.

# Drop Charges Against Parents Who Try To Integrate School

NEW ROCHELLE, N. Y. — (ANP) — Disorderly conduct charges against eight Negroes who tried to enroll children at an all-white school here were dismissed in City court last week by Judge Robert J. Burton.

The parents were arrested September 21 at the William B. Ward school in the fashionable Quaker Ridge neighborhood of New Rochelle, which has a neighborhood school system.

They were from the downtown district that is served by the Lincoln school, where 93 per cent of the pupils are Negroes and the quality of the education has been questioned. Policemen halted them at the Ward school before they could enter the building.

Judge Burton tried the cases a month ago and in a fifty-one-page decision rejected the board of education's contention that the Negroes had been loitering in violation of the state penal law.

The judge ruled that the penal law "cannot be invoked as a complete restraint upon the rights of people to speak freely, to petition those in authority and to protest regulations of boards of education" if school business was not interrupted.

# Fines Are Ordered For Two Indians In Dunn

DUNN — Judge H. Paul Strickland has convicted two Maple Grove Indians of trespass at Dunn High School and their defense counsel took strong exception to an opinion supplied by the State Attorney General to Solicitor Charles Lee Guy Jr.

Assistant Attorney General Ralph Moody, sometimes described as a specialist on segregation questions, wrote Guy that in some respects school property is protected by the trespass laws in much the same way as private property.

"Any other view," said Moody, "would create chaos in the public school system and would permit the unlicensed use of the buildings and grounds at any time by any person or any group of persons who so desired without any criminal liability."

Snapped Fayetteville attorney, Nelson W. Taylor, as he conferred outside the Dunn Courtroom with his Indian clients, "I think the Attorney General is missing the mark considerably. I don't think he ever got the point of what we were saying. The law he was quoting is good law but it's beside the issue."

Taylor said that the Indians had a claim of right to be on the school property and he is negotiating today with school board attorneys in an attempt to forestall the court action which the Indians have threatened if the high school here does not admit their youngsters.

James Chance, 35, father of one of the three youngsters, who made a sustained sit-in effort at the high school, said after the judges verdict, "We'll win — I'll get my daughter in yet."

Chance and 17-year-old Claudie Groves, brother of one of the children who tried to attend the classes at the white high school, were fined $5.00 and court costs for simple trespass.

Moody discussed the reason why he didn't feel that a charge of forcible trespass was applicable in the Dunn case. He cited an opinion claiming that, for forcible trespass, the State should prove the kind of force "act to strike terror" had been at work in the act.

Judge Strickland handed down his verdict Thursday after delaying judgment for two weeks while he studied the matter.

He suspended a jail term of 30 days on condition they pay the fine and court costs, but ordered that for 12 months "they shall not trespass on the premises of Dunn High unless allowed to do so by law."

Immediately after the trial Defense Counsel Taylor left for Lillington, where he was scheduled to meet with school board attorneys. Taylor has said that unless a way to settle the matter is successfully negotiated the Indians will proceed either to superior court of Federal District Court in an effort to upset the denial of applications made by the school board this summer.

It was a school board ruling that the Indians had not made applications they could accept which led to Chance's announcement that he would send his daughter to the Dunn School anyway. Other Indians had joined him in the fight by the time school opened.

The trespass charges tried here Thursday were the first to be placed against the Indians, though not the first to be tried. Earlier Chance and his brother Eugene were fined in Superior Court for encouraging their children to violate a court order telling them to keep away from Dunn High.

The Superior Court finding is under appeal. Tell said he is yet undecided whether an appeal will be placed from the proceedings in Dunn Thursday morning. He has 10 days in which to file.

# Integrating

BURNSVILLE (AP) —The Yancey County Board of Education has bowed to a Federal Court order and assigned 10 Negro pupils to two previously all-white schools, effective Thursday.

The board notified Federal District Clerk Thomas E. Rhodes in Asheville Tuesday that it had met and would not appeal the decision handed down by Federal Judge Wilson Warlick of the Western District of North Carolina.

The action followed the first court-ordered integration in North Carolina.

J. L. Robinson, Yancey Board chaiman, said that the students or their parents would be notified of the Board's assignment Wednesday and that they could begin attending classes on Thursday.

Robinson said he hoped for an orderly integration of the high schools.

# Yancy County ordered to integrate by Oct. 12

ASHEVILLE, N.C. (AP) — Yancey County School Board has been ordered to desegregate two public schools by Oct. 12. The chairman of the board, J. L. Robinson of Burnsville, announced a meeting has been scheduled to decide whether an appeal will be made.

Judge Wilson Warlick issued the order in the more than one-year-old case in which 27 children sued to attend the school nearest their homes. The children make an 80-mile round trip to school in Asheville daily.

Two of the children dropped out of the case since litigation was first instituted.

**THE FEDERAL** judge's order listed only eight children for admittance to "either or both of the two properly accredited high schools maintained by the defendant Board of Education of Yancey County —East Yancey High School and Cane River High School."

The eight are James Porter Young, Carolyn Young, John V. Jackson, Rose D. Roland, Louis S. Young, John R. Horton, Kay F. Griffith and Shirley Barnett.

It said reassignments were made "to best promote the orderly and efficient operations of all schools" in the city. Such assignments and reassignments, it said, were made under North Carolina's Pupil Placement Act which it said has been upheld by the federal courts.

The suit was brought on behalf of 277 Negro pupils and is scheduled for hearing in Durham by Judge Edwin M. Stanley on Nov. 17.

Durham has 12 Negroes attending three previously all-white schools this year. Two of the schools are junior high schools and one is a senior high.

# Dark-Skinned Girl of 7 Is Kept From N. C. School

DUNN, N. C., Sept. 21 (AP).—The embattled Harnett County School Board had a new problem today, objection by a group of parents to admitting a dark-complexioned girl to the grade school of the all-white Mary Stewart Elementary School.

Edna Sue Hump, seven, was forced to stay away from classes yesterday when between fifteen and twenty white parents milled about the school. The girl remained home again today.

Mrs. L. L. Milam, principal of the school, said the girl "was not exactly light skinned, but the records all show (her) white."

The Harnett County board has been involved since school began earlier this month in a dispute with a group of Indian parents who object to sending their children seventy-two miles daily to an Indian school. That dispute has not been settled, and may be headed into the courts.

# Durham Replies To Suit

DURHAM (UPI) — The Durham City Board of education Monday filed an answer to a consolidated school integration suit contending it is administering local schools in "good faith."

The legal answer was filed in U. S. District Court in Greensboro and said the Durham Board assigns pupils to schools on the basis of health, safety, welfare and general education of white and Negro pupils alike. some schools here are integrated.

# Federal Judge Still Undecided On Fate Of Indian Students

CHARLOTTE, N. C. — (ANP) — After first ordering the Harnett County Board of Education to admit Indian students to all-white schools, Federal District Judge Albert Reeves of Missouri changed his mind and ordered a full hearing on Nov. 21, to determine if Indian students are being discriminated against when they are sent to a special school for Indians in the next county.

Judge Reeves, sitting in Eastern District Federal court in Raleigh, on Oct. 17, signed a temporary order directing that Indian children be admitted to the all white Dunn High school while the question of their eligibility to attend was being contested in the court.

However, the temporary order was not to become effective until the plaintiffs posted a $1,000 bond.

**Order Restrained Board**

The order restrained the Harnett county board from assigning the students, all Indian teen-agers, to a high school outside the county and from failing and refusing to assign the students and "others similarly situated who otherwise qualify" to Dunn school.

Judge Reeves set Nov. 26 as the date for a hearing on issuing an injunction in the case.

The Harnett county board on Oct. 21, was heard on a motion to dismiss the restraining order. The board was represented by Dr. I. Beverly Lake, Raleigh attorney who ran unsuccessfully on a segregationist platform in the Democratic gubernatorial primary last May and June.

**Warns Of "Difficulty"**

Lake argued that the order should be dissolved "to avoid what he believe may be a difficult situation" should the Indian children attempt to attend classes at Dunn High the following Monday.

Nelson Taylor, attorney for the Indian students, told Judge Reeves that if the order were still in effect the Indian children would attend school the following Monday.

Reeves dismissed the possibility of any conflict with the state court's order.

**Judge Changes Mind**

Lake and Robert B. Morgan, attorney for the Harnett school board, argued that schooling is available for the children at East Carolina Indian school in Sampson county. They also contended that the Indian students had not exhausted their adminstrative remedies.

Reeves said he wanted to talk with Judge Algernon Butler of Clinton, the regular resident judge of the district, before making a decision.

Then, on Oct. 23, Judge Reeves dissolved the original order that would have admitted the Indian students. At the same time, Reeves issued the order to the Harnett county board to show cause at a hearing on Nov. 21, why the Indian student should not be admitted.

**Greensboro Action Voided**

BALTIMORE, Nov. 15 (AP) — The United States Fourth Circuit Court of Apepals rejected today an action in which the Greensboro, N. C., Board of Education made an all-white elementary school all-Negro after Negro children had sought admission to it.

It reversed a decision of the United States District Court for the Middle District of North Carolina. The district court had mismissed a complaint filed in behalf of four Negro children.

The appeals court sent the case back to the district with instructions to reain jurisdicion "so that the [school] board may reassign he minor plaintiffs to an appropriate school in accordance with their constitutional rights."

# Indians may enter No. Carolina school

NEW YORK — Parents of 11 colored children are suing the New Rochelle Board of Education for operating "racially segregated public elementary schools."

The charge that segregation is maintained by a school board regulation to the effect that children must attend the elementary schools in their own neighborhoods.

Federal Judge Irving R. Kaufman, in whose court the suit was filed, gave the school board and Superintendent Herbert C. Clish until Thursday to show cause why the children should not be enrolled in non-segregated schools.

The suit also asks that school authorities not prosecute parents arrested at William D. Ward School, Sept. 21, while trying to register the pupils.

Later the same week, the State Supreme Court issued an injunction against protesting parents demonstrating on school property.

In seeking the injunction, Mr. Clish said that type of incident was "calculated to and did create a dramatic and emotional impact upon pupils and public."

He cited a "sitdown" staged by another group of parents at Roosevelt Elementary School.

* * *

**IN DUNN, N. C.,** 15 or 20 Indian pupils were expected Monday to enter previously all-white Dunn High School.

Nelson Taylor, attorney for the Indian pupils, posted $1,000 bond to put into effect a federal court order restraining the Harnett County school board from denying them admission.

The children had formerly traveled some 70 miles a day, to Sampson County, to high school. This year, three of them staged sitdowns at the Dunn School.

The injunction admitting them to the school is only temporary. Hearings will be held Nov. 26 on the question of whether Judge Albert Reeves' temporary injunction should be made permanent.

Saying that he hoped there would be no opposition to the entry of the children, Mr. Taylor stated.

"It's our opinion that the majority of public opinion is definitely with the Indians, in Harnett County as well as across North Carolina and the nation."

**IN ROME,** Ga., the state's private school plan was branded as having "done nothing more than serve as a shield against reality."

Making the indictment was Erwin Mithcell, former state representative now a candidate for the state senate.

Mr. Mitchell said that the state should be willing to give local communities the same authority to conduct their affairs that the state is demanding from the federal government to conduct its affairs.

The private school plan is unworkable, he said, because the sponsors of the legislation had not included in it a means of implementing it.

* * *

**IN PINE BLUFF,** Arks., the Dollarway School board is expected to meet within the next few days to come up with a new desegregation plan.

The board submitted one plan already to Federal District Judge J. Smith Henley but the U. S. Circuit Court of Appeals said that the plan was not adequate, objective or definite. The court then ordered the board to come up with a new plan before Nov. 11.

One colored child, Delores Jean York, was admitted to the first grade at Dollarway School on Sept. 7. There have been no incidents.

* * *

**LAST WEEK** in New York officials began transferring pupils from 16 schools to the third, fourth and fifth grades of 31 others. Earlier this year, 393 junior high school students were transferred to schools outside their neighborhoods.

The transfers were part of a pattern designed to accomplish full - scale desegregation despite housing segregation.

* * *

**THE REV. L. FRANCIS GRIFFIN** wrote both presidential candidates a letter asking:

"If you are elected as President of this great nation of ours, will you advocate measures to prevent this (closing of schools to prevent integration) from happening to other children of the nation?

"Will you use the powers of this great office to correct this evil that is negatively affecting the lives of untold unmber in white and 1,700 colored children and by tomorrow could effect the lives of untold numbers of the South?"

The Rev. Mr. Griffin is president of the Prince Edward County Christain Association in Farmville, Va. where the schools have all been closed to evade a federal court order to desegregate.

14d(1) 1960

NORTH CAROLINA

# School Suits Are Reset

The News + Observer

DURHAM (UPI) — Integration suits against two city boards of education, scheduled to be heard in Federal Court Thursday, were reset for Dec. 20 because the judge became ill.

Judge Edwin M. Stanley notified lawyers in U. S. Eastern District Court he had a cold and could not appear in court.

One of the suits had been filed by parents of Stanley Vickers against the Chapel Hill Board of Education. The other suit was a consolidated action on behalf of 300 Negroes against the Durham School Board.

Both suits, sponsored by the NCAAP, asked for an end to segregated schools in the two cities. Both cities have already begun a program of token integration.

Durham admitted Negroes in September of 1959 and Chapel Hill assigned three Negroes to the first grade level when school opened this year.

Stanley said he would hear oral arguments in the Chapel Hill case and listen to evidence in the Durham suit.

Vickers' parents argued in their written brief filed last February that while children "similarly located were assigned to Carrboro elementary school" their son was not assigned there, but had to go to a Negro school in Chapel Hill.

Vickers is seeking assignment to the Carrboro School, an all-white unit, instead of the Negro school.

His request was turned down by the Chapel Hill Board in 1958 and his appeal denied in 1959. The case prompted the resignation of school board member Henry Brandis Jr., Dean of the Law School at the University of North Carolina.

# Integrated School Bears Segregationist's Name

Journal & Guide, Norfolk, Va. Sat. 6/4/60 P. 1

**WASHINGTON, D. C.—Veteran Representative Graham A. Barden, Democrat of North Carolina, is a foe to schools desegregation and will let anybody know it.**

**The Congressman was obliged to tell the House recently that a school in his home county of Craven has been named for him "and I have to admit it's the only one in eastern North Carolina that's been integrated."**

# Durham School Board Asks Suit Dismissal

The News & Observer Raleigh, N.C.

GREENSBORO (AP)—The Durham School Board and its members Friday filed an answer asking dismissal of a desegregation suit entered earlier this year on behalf of 161 Negro children.

Filed in U. S. Middle District Court here, the answer by the board members declares that the suit does not show any omission or failure on their part to perform "a clear legal duty."

They also stated they have followed the law in assigning pupils to schools.

It is well known, the board members continued, that the public schools of Durham "are not now operated and maintained on a completely segregated basis."

In reply to allegations in the suit, the board members said they followed provisions of the School Assignment Act, known as the Pearsall Plan, in assigning students to the schools or the Durham system.

The suit asks the Federal Court to order the board to operate the Durham schools on a "non-racial" basis. The board, the suit alleged, maintains a "pattern of school zone lines based upon race and color."

About 225 Negroes sought reassignment for the 1959-60 school year, the suit said, with about eight transfers being approved. The other applications for reassignment were rejected, the suit said.

The Board, in its answer, said that none of the Negroes for whom the suit was filed gave any reason at a hearing why they should be reassigned.

# INDIANS ASKING DESEGREGATION

The Sun Greensboro

DUNN, N. C. (UPI)—The Harnett county school board heard a group of Indian parents appeal to have their children admitted to all-white schools but postponed a decision in the case.

One of the Indian spokesmen, James Chance, said after the hearing he intended to send his child to a Harnett county school this fall regardless of the board's action.

Indian children in the county attend Eastern Carolina institute, an Indian school in adjoining Sampson county. The children ride school buses 73 miles daily on the round-trip.

The board granted the hearing after denying the four children admission to the white high school here on a technicality. The board said the applications were improperly drawn. One mother asked the board why it did not show the parents how the form should be filled out. Her question was not answered.

The Indians told the board they would prefer to have their own high school in the county but, if it was not provided, they wanted their children to attend a school with high standards. They indicated they feel ECI was not as good as the white high school here.

The county maintains schools for whites and Negroes but has no facilities for Indians who, under North Carolina's school system, attend segregated schools.

The Indians have been seeking assignment to the Dunn High school for two years. Requests last year were turned down on the grounds that they were filled too late.

## Want Full School Year

# Students Boycott "Cotton Pickin' Time" Classrooms

Journal & Guide Norfolk, Va.

**Special Correspondence**

JACKSON, N. C. — Cotton needs pickin' so bad on many of the farms of this area, but it is likely that it will grow in the fields and turn back to seed if farmers expect colored school boys and girls to help in the harvest.

Indications are that many of the students just won't be out with bags across their shoulders and straw hats on their heads.

**HERE'S HOW** this idea is reached:

There is currently a boycott of Northampton county schools going on.

**HOW DOES** that have anything to do with cotton? Here's how:

"Colored" school terms in Northampton and other agrarian counties in North Carolina **usually are started about a** month earlier than the white schools terms so that the colored pupils will be able to take three or four weeks off later (usualy in September) to help in the harvesting of cotton and other crops. After crops are in, the students trek back to school.

**BUT THE** students are ignoring the "colored" setup this year.

While the situation is shrugged off as being "not serious" by Northampton county schools officials, a glance at the figures indicate that the officials are hoping against hope.

# Negro First Grader To Enter School

Charleston, S.C.

CHARLOTTE N.C. (AP)—A Negro first grader was assigned to a predominantly white grammar school here Tuesday, but applications for three other Negro children to white schools were rejected. Wed. 8/17/60

Kenneth Alexander, 6-year-old son of Mr. and Mrs. George Alexander Jr., was assigned to the Bethune school.

One school board member commented that the boy "practically lives next door to the school."

Kenneth is the second Negro assigned to predominantly white schools for the fall term. The other will be a senior at Garinger High School which she attended last year. Her sister is Delores Watermann, who

If no further admissions are made, there will have been a total of 11 Negroes in predominantly white Charlotte schools since 1957.

In 1957 there were 58 applications from Negro parents for reassignment of children to white schools. This dropped to 23 in 1958, eight last year and four this year.

The rejected applications Tuesday were Kelly M. Alexander Jr., and Alfred Alexander, sons of Mr. and Mrs. Kelly M. Alexander; and Alonzo G. Coley Jr., son of Mr. and Mrs. A. G. Coley. Kelly Alexander is the executive secretary of the North Carolina branch of the NAACP.

Parents of the three rejected children have five days in which to file appeals.

# Yancey Negro School May Open Next Week

The News & Observer Raleigh, N.C.

BURNSVILLE (AP)—Completion of a $30,000 Negro school unit in Yancey County is expected this week, with a decision still pending on a suit to integrate the county's schools.

Yancey County Schools Supt. H. D. Justice said the new Negro school should be ready Thursday or Friday, adding that two teachers already have been hired. Classes are expected to begin next Monday along with the other county schools, he said.

Meanwhile, Federal District Judge Wilson Warlick will open an abbreviated court session in Asheville Wednesday. While there has been no indication as to when he will issue his ruling in the case of Yancey Negro school children seeking admission to white schools, his decision could come this week.

A final hearing on the case was completed July 12. At that time, attorneys on both sides asked for an early decision, with the plaintiffs' counsel asking that the court act in time for school attendance arrangements to be made for the children this fall.

Justice said he believes there are 26 Negro pupils in the county at present. The original suit in Federal District Court was filed in behalf of 27 youngsters, at least one of whom has meanwhile completed school.

The only Yancey County Negro school, Lincoln Park Elementary in Burnsville, was closed early in the 1958-59 term after parents of most of the 25 enrollees refused to permit their children to attend. Prior to the closing, the building had been condemned by a Yancey County grand jury.

The students were then reassigned to Asheville elementary schools. (Negro high school students from Yancey had been attending Asheville's Stephens-Lee High School for many years.)

At the start of the 1959-60 school year, the students were again assigned to Asheville schools after the county board rejected a petition for admission to white schools. The Negroes refused to send their children to Asheville, a 70-mile round trip by bus.

A number of high school students enrolled in Allen High School, a private boarding school in Asheville, while the elementary pupils studied under private tutors in a Burnsville Negro church.

# Indian Girls Stage Sit-In At North Carolina School

DUNN, N.C. (AP)—While their elders were threatening the Hartnett County Board of Education with a lawsuit Monday, two Indian girls continued their battle for admission to the all-white Dunn High School by staging an all-day "sit-in" at the school.

The two girls, Juanita Chance, 15, and Ima Jean Chance, 13, entered the school quietly when it opened and took their places in a classroom in defiance of a court order which forbade them from setting foot on the school premises.

However, no effort was made to eject them and they remained throughout the day.

A. B. Johnson, district school principal, said the school policy was to ignore the presence of the two children.

Meanwhile, some 26 Indian parents appeared before the Harnett board of education in nearby Lillington to ask: (1) That the board reconsider its action several weeks ago in rejecting application of three Indian children—including Juanita and Ima Jean Chance—for reassignment to the Dunn school, and (2) That they be given blanks on wich 28 other Indian children may apply for reassignment to the Dunn school—or some other white school in Harnett County.

The Indian children have been assigned to the Eastern Carolina Indian School in adjoining Sampson County. The Indians protest their children having to ride some 72 miles a day by bus back and forth from the school.

Willie Jones, who acted as spokesman for the Indians, said they were serving notice on the board and the Hartnett Board of Commissioners that if the Indian children have not been admitted to the Dunn school or some other school by Friday morning, they will file a legal action against the board "for denying our equal school rights."

Jones also told the board the Indians are no longer interested in obtaining a separate high school for their children. The board had promised last week to try to build them a separate high school in Harnett County.

Jones asked that the board reconsider applications of the three children and assign them to either the Dunn high school or some other white school in the county.

"We're fighting for our rights," said Jones, "not for integration. That's for colored people. We're fighting for our equal rights with white people."

# 7 Indian Pupils Held In Carolina Protest

DUNN, N. C., Sept. 1 (UPI)—Indian children who don't want to attend Negro schools or travel 70 miles a day to the nearest Indian school staged their second sit-in at all-white Dunn High School today and were taken briefly into police custody.

The Indian children and their parents agreed to thrash out their complaint at a court hearing Friday.

The Indians, proud of their Chrokee and Lumbee tribal backgrounds, have been satisfied with this region's unique triple segregation school system. The Indians eat in white restaurants and are admitted to white sections of movie houses but have shown a preference for their own schools.

The peaceful coexistence broke down because Dunn has refused to build an Indian school for the small number of Indians here and has insisted the children make the trip to the nearest Indian school.

Police removed the seven Indian children forcibly from the school grounds today and held them in patrol cars for 45 minutes when the children, acting on instructions by their parents, defied a court order signed early today by Superior Court Judge W. H. S. Burgwyn.

Authorities then issued summonses for 12 Indian adults and 9 children, citing them for violating the court order. They were taken before Judge Burgwyn at Lillington, 16 miles away.

The complaint by school authorities, signed by School Superintendent G. T. Proffitt, referred to the danger of violence in the situation and disruption of normal school operations.

## At Dunn High

# Indians to Continue Integration Attempt

By HOOVER ADAMS.

DUNN—Dunn Indians were on the warpath again today as the bitter row with the County School Board over attempts to integrate Dunn's all-white high school reached new intensity.

Three Indian children, taken from the school by police last week, prepared last night to return to the school Monday as their parents vowed, "We'll never quit fighting until they're in."

The entire Indian community, located a few miles from Dunn, was reported to be in an uproar as dozens of carloads of Indians, friends and relatives from the Pembroke Indian community in Robeson County poured in to join the discussions.

The announcement was made early last night by Eugene Chance, a spokesman for the Indian group, after a series of meetings that started Friday night and continued throughout the day and into Sunday night.

**Turned Down.**

At a meeting Friday night Indians turned thumbs down on an agreement reached between their lawyer and the county school board on Friday whereby the Indians would continue to send their children to East Carolina Indian School in Sampson County, with the hope of securing their own high school in Harnett next year.

They decided at a second meeting Saturday night to send the students back to the Dunn school from which they were removed by policemen after county school officials had secured a restraining order to keep them off the school property.

Chance said only three Indians would return to school tomorrow, his daughter Juanita, 15, Hughie Maynard, 15, and Emma Chance, 13. These three were among the four who originally filed formal applications with the county school board but were denied permission to transfer to the local school.

Four others who sought admission here last week will go with their parents to a meeting of the county board of education in Lillington today.

There is no Indian high school in Harnett and the 70-mile daily roundtrip to the Sampson County school is the chief point of contention. They also contend the Sampson school is not up to standards.

The county school board Friday agreed to recommend to Harnett County commissioners that a high school be provided for the Indians next year, provided the Indians would send them to ECI this year and meet certain other conditions.

Chance said Indians weren't too impressed with the proposal to build an addition to the present Maple Grove Indian Elementary School. He said they would want more details and specific plans as to just how good a school would be provided.

**Won't Attend.**

Yesterday he notified J. R. Baggett, chairman of the Harnett County Board of Education, that Dunn Indians positively would not attend the Sampson school this year, and asked that the applications to attend the Dunn school this year be reconsidered.

Baggett said he told Chance the board would be happy to hear the Indians and would of course consider any proposal which contained merit. He would not commit himself beyond that, however.

Meanwhile, Lofton A. Tart of Dunn, chairman of the Harnett County Board of Commissioners, said flatly that the county did not have the money required to provide the new Indian high school.

He said the budget for the coming year already had been fixed and that such a project would require an increase in the tax rate on a bond issue approved by the people. "And I will fight any increase in taxes with all the vigor I possess. I always have opposed any increase in taxes and will continue to do so."

"You can take my word for it," said Chance, "not a single Dunn Indian will attend that school in Sampson this year."

He said the fight has just begun. We intend to have decent school facilities for our children and are prepared to do whatever necessary to make any sacrifice to bring this about."

Chairman Baggett said Sunday that he was not surprised to learn that the Indians had not changed their minds about the agreement, which he said he thought might be a workable solution.

"They've been sorta dictatorial all along," he added, "and I don't go along with that kind of attitude." Baggett said that in rejecting the Indian children's applications to the Dunn White School, the board had considered more the welfare of the Indian children than they had the racial question involved. He said the board has been unjustly criticized, especially outside the state by people who falsely interpreted the decision as based on racial grounds. Baggett said that in view of the Indian students' poor attendance record ("some of them don't go but about half the time"), "I seriously doubt they could make it at the white school under the progressive system of teaching used and think it might be an unfair handicap to them to assign them to the Dunn school.

Chance said Sunday that the parents would not accompany the children to school tomorrow but would observe the restraining order made permanent against them by Superior Court Judge W. H. S. Burgwyn at a hearing held Friday.

Two of the Indian parents, James A. Chance, 35, brother of Eugene, and Claude Groves, 27, were still under indictment Sunday for trespassing as a result of a demonstration at the school last week.

Indian spokesmen tonight indicated that new legal moves were now being prepared.

The Afro-American
Baltimore, Md.
Sat. 9-10-60
p. 1

**YOU'RE ALL RIGHT, IF WHITE** is the Harnett (N.C.) County motto 14 - year old James Chance, an Indian, ran into as he quietly attempted to enroll in the all - white Dunn High School Thursday. A curious white student peeks over door. Chance will seek admission to the school, if Indians are admitted.

## Real reason for crackdown on N.C. Indian children

The Afro-Am

DUNN, N.C. — The real reason for the crack down on Indian children who entered Dunn High School here recently is County officials fear colored pupils and 11 other Indian students were arrested while staging a protest against the county's requirement that they ride 72 miles daily to an "Indian" school in an adjoining county.

miles daily to attend school, also holds true for colored pupils of the county.

The Indians eat in white restaurants and are admitted to white sections of movie houses. But Harnett County officials draw the line when it comes to schools.

Sat. 9-10-60

The Indians' complaint that they have to travel 72

The Cal
Kansas City

**ARREST INDIAN FATHER.** — Officers search Indian James A. Chance after he was arrested on trespassing charges in connection with an attempt to have his daughter enrolled in the all-white high school in Dunn, N. C. One other Indian was arrested. Pictured in the right corner is District Principal A. B. Johnson, who asked the Indians to leave the school.

# Indian Girls Return To School In Dunn

The News + Courier
Charleston S.C.

DUNN, N.C. (AP) — Two teenage Indian girls, part of a group of several Indian children seeking admission to all-white Dunn High School, attended the school for a second successive day Tuesday in defiance of a court order forbidding them to set foot on the premises.

Wed 9-7-60

The two girls, Juanita Chance, 15, and Ima Jean Chance, 13, who are cousins, were joined Tuesday by an Indian youth, Huie Paul Maynard, 14. The three entered the school and took seats in classrooms.

District School Principal A. B. Johnson said that the children had "caused no disorder and have been very quiet."

Despite the court order issued last week by Judge W. H. S. Bur-

gwyn, no effort has been made to eject the Indian children. Robert Morgan, attorney for the Harnett County Board of Education which asked for the court order, declined to comment when asked if steps were being planned to enforce the order.

Johnson was asked if he plans to do anything about the three Indian sit-ins. "Not unless I get orders to," he answered. He said his orders at present are "to ignore them."

Meanwhile, Harnett Indian parents planned a meeting Tuesday night to discuss the status of their efforts to get their children admitted to the Dunn school.

The meeting presumably was a followup to a session two of their spokesmen had Tuesday with Harnett School Supt. G. T. Proffit.

After the session, both Proffit and the Indians spoke hopefully.

## *Harnett Indians Threaten Lawsuit:*

# Two Pupils Stage Sit-In

DUNN (AP) — While their elders were threatening the Harnett County Board of Education with a lawsuit, two Indian girls continued their battle for admission to the all-white Dunn High School Monday by staging an all-day "sit-in" at the school.

The two girls, Juanita Chance, 15, and Ima Jean Chance, 13, entered the school quietly when it opened and took their places in a classroom in defiance of a court order which forbade them from setting foot on the school premises.

However, no effort was made to eject them and they remained throughout the day.

A. B. Johnson, district school principal, said the school policy was to ignore the presence of the two children.

Meanwhile, some 26 Indian parents appeared before the Harnett Board of Education in nearby Lillington to ask: (1) That the board reconsider its action several weeks ago in rejecting application of three Indian children—including Juanita and Ima Jean Chance — for reassignment to the Dunn school, and (2) that they be given blanks on which 28 other Indian children may apply for reassignment to the Dunn school—or some other white school in Harnett County.

The lawsuit threat came after Robert Morgan, attorney for the board, expressed the opinion that the board has "no authority to go back and reconsider these applications."

Willie Jones, who acted as spokesman for the Indians, said they were serving notice on the board and the Harnett Board of Commissioners that if the Indian children have not been admitted to the Dunn school or some other school by Friday morning, they will file a legal action against the board "for denying our equal school rights."

Jones also told the board the Indians are no longer interested in obtaining a separate high school for their children. The board had promised last week to try to build them a separate high school in Harnett County.

Jones asked that the board reconsider applications of the three children and assign them to either Dunn High School or some other white school in the county.

"We're fighting for our rights," said Jones, "not for integration. That's for colored people. We're fighting for our equal rights with white people."

After the meeting, the board said in a statement it was "without authority to act further" on the three applications. It also said, "The only remedy now available if the applicants feel that they have been aggrieved is to file new applications. . . ."

However, it was doubtful the Indians could accomplish anything by filing new applications. Morgan told a reporter that applications for reassignment must be filed within 10 days after a child is assigned to a school. The Indian children were assigned some time ago to the Eastern Carolina Indian School in Sampson County. The long bus ride to the Sampson school is one reason the Indians give for seeking admission to the Dunn school.

INDIAN GIRLS SIT-IN AT WHITE SCHOOL—Two Indian girls, Juanita Chance, 15, (extreme right) and Ima Jean Chance, 13, (to her left), cousins, staged a "sit-in" at the all-white Dunn High School Monday

# Dunn Mayor Defends Indian Pupils' Effort

By HOOVER ADAMS — —

DUNN—Mayor George Franklin Blalock Tuesday took a firm stand on the side of the Indians in Dunn's school controversy and said the Indians should be admitted to the local all-white high school until other facilities are provided.

He put the blame for the controversy which has received world-wide attention on the Harnett County Board of Education and said the town is "having to bear the brunt of bitter criticism which it doesn't deserve."

See Hodges.

Harnett County school officials conferred with Gov. Hodges Tuesday.

"We simply filled in the Governor on the background and history in the case," said State Sen. Robert Morgan' of Lillington, attorney for the county school board. He added that the Governor did not have any recommendation to offer.

Morgan, County School Superintendent G. T. Proffit and J. R. Baggett Jr., chairman of the county board, met with the Governor in Raleigh.

Atty. Gen. Wade Bruton and Glenn Hooper, assistant attorney general specializing in integration cases, were called to attend the hour-long meeting.

"We just listened," Bruton said after the meeting. "We were not asked to make a ruling and did not volunteer one.

Mayor Blalock said local sentiment overwhelmingly favors admitting the Indians and called on the county school board to take local sentiment into consideration and put an end to the wrangling immediately.

He said action of the county board had "created a false image which wrongfully and without foundation depicts Dunn citizens as hostile to Indians when actually the opposite is true."

The mayor said the board's action had made Dunn "the ideal target for propaganda abroad" and that he is now being flooded with critical derogatory mail from all sections of America. He said all the mail he has received has uniformly been on the side of the Indians.

"People have even called collect from as far as California to cuss us out for something we weren't responsible for," he said.

Meanwhile, two Indian girls, Juanita Chance and her cousin, Emma Jean, returned to Dunn High School Tuesday for the second day and were joined by another Indian youth, Huey Paul Maynard. The three spent the day in school without incident and afterwards reported the friendliest of receptions from their white classmates.

They said it was "all very nice" and that they enjoyed attending school here immensely.

"That proves," said Mayor Blalock, "that the people of Dunn are not prejudiced against the Indians and it also proves the county school board is dead wrong."

Blalock met with a delegation of Indians Tuesday and said they were ready to accept a compromise solution which he considers not only workable but just.

"Suppose the board would put half of those four youngsters in Dunn High School this week and half in Erwin and then constructed three high school rooms at Maple Grove during this school year?" he asked.

"The Indians, the same firebrands that have been pressing this matter, are ready to take it to court told me if that were done they would pull their children out of the school here next year and forget about integration for all time," he added.

"They were tickled to death with that proposal and said they would sign a contract never to attempt this same thing again. I think it is a dog-gone good way to end the thing and that the school board should do it."

The Indians had maintained from the outset they preferred their own separate facilities built close to their homes to entering the white school.

Lofton Tart, chairman of the Harnett Board of Commissioners, said they were giving up getting their own school because Tart said he opposed any current attempt to raise the tax money for it.

Mayor Blalock said that a modest high school arrangement could be built from delinquent tax monies. He said $225,000 had been poured into renovating the county courthouse when "they could have taken $60,000 of that and built the Indians what they needed and ought to have."

The parents and Maple Grove adults who came to see him said the mayor explained that they are unwilling to keep their children out of the school this year for fear their whole education will go haywire.

Mayor Blalock said there are two overwhelming arguments favoring the Indians. 1. The Indians have no high school in this county, while whites and Negroes do. 2. Indians have been attending "in white high schools all over North Carolina without fanfare or adverse publicity."

"It is not the fault of the In- dians that they are a minority ing," said Blalock. "One child is entitled to what another child is entitled to."

# Negro Student Gets Assignment To White Elementary School Here

By JANE HALL

Seven-year-old William Campbell yesterday became the first Negro child to be assigned to Raleigh's white public schools.

By a unanimous vote, the city school board approved an application from the boy's parents, Mr. and Mrs. Ralph Campbell of 804 E. Edenton St., who asked that William be admitted to the second grade at Murphey School.

Ralph Campbell said his son would be enrolled at the school as soon as the family has received official notice of the school board's action. Supt. Jesse O. Sanderson said the Campbells would be notified immediately.

**Two Applications Denied.**

The school board denied the Campbells' request that their two older children, Mildred and Ralph Campbell Jr., be admitted to the eighth and ninth grades, respectively, at Morson Junior High School. The board took the position that Morson is already overcrowded.

The three Campbell children formerly attended St. Monica's, a Catholic school for Negroes. Sanderson had temporarily assigned William Campbell to Thompson school and Mildred and Ralph Campbell Jr. to Ligon Junior-Senior High. Both are Negro schools. The board affirmed the assignment of the latter two students.

Ralph Campbell Jr. already has enrolled at Ligon High, his father said.

Appliations for enrollment of their children in the city's white schools were submitted by the Campbells during the week prior to the schools' opening on Aug. 31.

**Private Lunches**

Any differences the school board had over assignment of the Campbell children had been worked out at a private luncheon session held prior to the board's public meeting.

J. W. (Willie) York made the motion that William Campbell be assigned to Murphey School and that the assignment of Mildred and Ralph Campbell Jr. to Ligon High be affirmed.

WILLIAM CAMPBELL

LeRoy Martin seconded the motion. Martin said he thought "it would be unwise to assign any child to Hugh Morson now unless it is absolutely necessary because of the school's crowded condition and limited playground facilities. "I am confident that this is in the best interest of these children and of the schools."

There was no other discussion on the action.

**Negro Member Absent**

F. J. Carnage, only Negro on the seven-mem board, did not attend the meeting. Other members are Mayor W. G. Enloe, chairman; Vic E. Fisher, Lewis Powell and Mrs. James L. Stough.

Transfer of children within the city school system must be requested within 10 days after the end of a school term. This regulation does not apply, however, in the case of applications for children in private schools seeking assignment to public schools.

The Campbells were only the second Negro family here to seek assignment of their children to all-white schools. A case in which Joseph Hiram Holt Jr. sought admittance to Needham Broughton High was carried to the U. S. Supreme Court after the city school board turned down his application.

The U. S. court refused to review the Holt case on the grounds that all administrative remedies available to him had not been exhausted.

William Campbell made the honor roll as a first year student at St. Monica's. His father described him as "very calm, not the nervous type."

The boy's father works at the Post Office here as a mechanic. He also is secretary of the Raleigh unit of the National Association for the Advancement of Colored People.

CELEBRATING — Four of five Indian students who were arrested in Dunn in an attempt to enroll at an all-white high school celebrate outside the court house at Lillington Friday. The Harnett County Board of Education said it would recommend a school for Indians closer to the homes of the children. They now have to ride 35 miles to school. The Indians are (left to right) Hughie Maynard, Dalton Grove, Emma Jean Chance and Juanita Chance. (Photo by Joe Holloway).

# Harnett Board of Education Proposes School For Indians

By BILL WOMBLE

LILLINGTON — The Harnett County Board of Education promised Friday to recommend a high school of their own to a protesting group of Indians, who had tried unsuccessfully this week to enroll their children in the all-white Dunn High.

The plan, worked out at a special board session here after Superior Court Judge W. H. S. Burgwyn had found five of the Indians innocent of contempt charges is contingent upon the approval of Harnett's commissioners, who hold the purse strings, and also an assurance from the Indians themselves that they would be satisfied.

**Indians Accept.**

Harnett Indians, discussing the proposal at a meeting Friday night, decided to accept the offer. There was much discussion, however, since some opposition to the acceptance prevailed at the meeting.

If agreement all around is reached, the high school would be built on the grounds of the present Indian elementary school at Maple Grove, some three miles from Dunn. It could be either an addition or a separate building.

Joe Levinson, Benson attorney and one of two lawyers hired by the Indians, made the announcement after a conference with the school board, which followed Judge Burgwyn's ruling earlier in Superior Court on the contempt citations.

The jurist had asked the county board, along with the Dunn school district committee, to be present Friday when the five adult Indians were to appear. Four of the five are parents of children seeking to enroll at Dunn.

A pre-hearing meeting with the

judge was held, and it was there, apparently, that the compromise was reached.

As the contempt case opened, an attorney for the school board, Charles Deane, said the Indians agreed to cease their picketing and sit-in efforts at Dunn High. A restraining order issued Wednesday by Judge Burgwyn, forbidding any interference in operation of the Dunn school, was made permanent and a hearing set for Sept. 12 was cancelled.

**Happy.**

"I'm happy this is being terminated in this manner," Judge Burgwyn said. "It is best to 'bury the hatchet.' I had not intended severe punishment for these defendants."

Those cited and charged with violating Judge Burgwyn's order of non-interference at Dunn were James Chance and wife, Woodrow Groves and his wife, and the Groves' 17-year-old son, Claudie. No testimony was presented, and the Judge commented he was "happy to find the five not guilty."

The agreement also contained the provision that the restraining order be amended to forbid interference by the Indians with the operation of a school bus assigned to transport Indian children to Eastern Carolina Indian School in Sampson County.

It was in protest of sending their children to this school which the Indians claim involves a 72-mile round trip, that they attempted to enroll seven students at Dunn this week, prompting the restraining order.

**Want Own School.**

Spokesmen for the Indians stressed again Friday that they do not seek integration with whites for their children, but rather a high school of their own. They said they've been trying for six years to obtain one. Harnett school officials have held there were not enough children of high school age in the Indian community to warrant a school.

As court convened Friday morning, some 50 Indians, in addition to the five defendants, filed into the courtroom and waited quietly as Judge Burgwyn met with attorneys and school board members. In all, there were some 150 persons in attendance.

Two pre-school children with toy bow-and-arrow sets accompanied one pair of Indian parents.

Among the spectators was Playwright Paul Green of Chapel Hill.

Green commented to newsmen afterward that he thought the Indians' attempt to enroll their children at Dunn was an indication "these people are trying to strengthen our country."

There was no indication at the school board meeting, however, that the board would reverse its turn-down of the Indians seeking to enroll. Attorney Levinson, in fact, expressed belief that it would not do so.

Levinson said it was hoped that all the Indians would agree to send their children of high school age to the Sampson school this year. Every effort will be made to have the new school at Maple Grove completed in time for the 1961 Fall term, he said.

Levinson said the board, in deciding to recommend a new school, "is not avoiding the issue" of mixing Indians and white, but rather was complying with the long-standing request of the Indians for their own school.

**350 Indians**

Spokesmen said there are some 350 Indians living in the Maple Grove community near Dunn. They have an elementary school with three teachers and an enrollment of about 70 pupils.

The Sampson Indian school is some 23 miles south of Dunn on U. S. 421. But the Harnett Indians say the route the school bus takes covers 72 miles, roundtrip, and they do not wish their children to make the trip. It means many would have to leave home very early and arrive back late, they said.

The school bus was dynamited last New Year's Eve in protest of the long trip. It was parked at the home of its driver at the time and no injuries resulted.

A new bus started the trip again Friday for the first time this term, but never completed the route. School officials were told the driver brought the bus back to Lillington empty with the explanation he'd been told there would be no passengers for him today.

Following this incident, Judge Burgwyn amended his restraining order to forbid interference with this bus as well as with operation of the Dunn school. The bus is due to run again Monday.

Levinson said that the Indians' acceptance of the new school offer would not preclude their seeking through legal means to have their children enrolled at Dunn under the State Pupil Assignment Law.

The Indians' attempt to enroll at Dunn High began last Tuesday, when nine children and their parents showed up and tried to register. They were turned down.

Next day, seven of the children entered the school and took seats in classrooms. They left after officers arrested the father of one and brother of another on trespass charges. Thursday, the seven children attempted to enter the school grounds in defiance of Judge Burgwyn's court order forbidding interference. Twice, officers took the seven in custody and later released them. Meanwhile, five of the older Indians were arrested and accused of violating the court order.

# School Plan Studied For Gifted Children

The News & Observer p. 24
Raleigh N.C.
14d(1) 1960
Raleigh, N.C. 6-21-60

WINSTON-SALEM (AP) — A proposal to expand education for gifted children to a state-wide program is expected to be solidified in Raleigh this weekend at a meeting of the Governor's Commission on Education for the Talented Child.

The commission, which will present its findings and proposals to the State Advisory Budget Commission in mid-October, is expected to agree on a flexible, multi-pronged plan which would take into account the size, nature and geographic location of various school systems.

C. Douglas Carter of Winston-Salem, field director for the commission, said the Friday and Saturday meeting at the Sir Walter Hotel in Raleigh probably will hammer out the basic propoals for a statewide program, directed at gifted children— children who, among other things, have IQ's averaging about 160 or higher.

Carter, director of special services for Winston-Salem schools, is on loan to the commission one day a week and summers. The commission, created by the 1959 General Assembly with a budget of $71,000, has been operating actively for about a year.

Although details of the commission's proposals have not been disclosed, the commission's thinking on how to tackle education for gifted children came to light when school opened this fall.

On a matching-fund basis with five school systems in three areas of the State, the commission sponsored the opening of pilot study centers exploring "every known approach in working with the gifted child," Carter said.

Winston-Salem, whose school system has pioneered in the field of special education for gifted children, is the location of one pilot study center.

Other pilot study centers are in Pitt County schools, Greenville schools, Hendersonville schools Hendersonville schools and Henderson County schools.

In Pitt County, the commission is trying the itinerant teacher approach in which children of several grade levels are placed in the same class based on special aptitudes — such as science or math.

## N.C. board must integrate schools

The Afro Am
Baltimore, Md.
Pics. 4-27-60

ASHEVILLE, N.C. — The Yancey County Board of Education was ordered Tuesday by the U.S. District Court here to integrate eight colored pupils into its two white high schools within 30 days.

It was also ordered to assign 17 colored elementary pupils to schools inside the county within the same 30-day period, but was given the option of assigning them to colored or white schools.

All the pupils, high school and elementary, were assigned to Asheville public schools in Buncombe County last year, over the objection of their parents. The ruling brought the first court - imposed school integration to Western North Carolina.

J. L. Robinson, chairman of the Yancey Board, said it would meet within a week to determine what, if any, action should be taken. He said he did not know whether or not the ruling would be appealed.

Judge Wilson Warlick of the U.S. Court for the Western District of North Carolina wrote the strongly - worded, ten-page ruling in the litigation which began last fall.

## Girl Returns To State in Racial Case

The Atlanta Constitution
Atlanta, Ga
Dues. 4-27-60

DUNN, N.C. (UPI) — The family of a 7-year-old girl who was not allowed to attend school because of objections to her skin coloring has moved back to Georgia, it was disclosed Monday.

Neighbors and friends raised $200 for the family to leave North Carolina and a spokesman said the family moved to Milledgeville, Ga. The family does migrant farm labor and was in the Dunn area for cotton picking.

**FORCED TO PULL OUT**

The child was forced to withdraw from Mary Stewart Elementary School near here a week ago because parents of some pupils at the all-white school objected to the girl's attending. School officials said the child's birth certificate and records showed she was white, and one school official said "her parents are white as I am."

But, at the advice of county school Supt. A. G. Proffit, the child's parents kept her away from school. A week ago a crowd of about 30 parents gathered at the school gates and said they would keep the girl out. Proffit said he had heard there might be violence.

**TROUBLE REPORTED**

There were reports Monday that the child might return to school this morning and there might be trouble.

The child has a dark complexion. However, she attended first grade last year at an all-white school at Comfort, N.C.

## Dunn Indians Tried On Trespass Charges

The News and Observer
Raleigh, N.C.
Feb. 23 60

DUNN—Two Dunn Indians who accompanied children to Dunn's all-white school to stage a sit-in were tried in Dunn's City Court Thursday morning for trespassing on the school grounds, but won't know their fate for two weeks.

Judge H. Paul Strickland delayed a decision for two weeks, giving no indication of what his finding will be, the judge said. He wanted to study the matter.

Earlier, he denied a defense motion for non-suit of charges against James Chance, 37, father of a girl seeking entry at Dunn High and Claudie Elton Groves, 17, brother of a boy seeking entry.

Defense Attorney Nelson Taylor of Fayetteville and Dunn solicitor Charles Lee Guy both cited court authorities to support their arguments.

Taylor argued that they had gone on school property believing in their right to be there and not intending violence or disturbance.

Earlier this week, Chance was fined $150 for contempt by Judge W. Jack Hooks in Harnett Superior Court for aiding, abetting and encouraging his daughter to return to the school in defiance of a court restraining order to stay away. Eugene Chance, a brother, was fined $100 in the same case.

Attorneys for the Indians are seeking to work out a solution to the controversy with the county school board and say they will go to court if that fails to get the Indian children into the Dunn school.

Harnett has no high school and they object to the 70-mile daily round trip to another county.

At several points uring the trial, Judge Strickland upheld defense objections to questions by Guy centering around actions of "the crowd" or reaction by school children to the presence of the Indians.

However, when Taylor made a lengthy appeal for non-suit reviewing various North Carolina and other precedents, the judge denied the motion.

Neither Chance nor Groves was placed on the stand and the defense presented no evidence resting on the legal arguments as to whether their actions at the school ground constituted an actual trespass.

---

The House of Lords sits as supreme judicial authority as the highest court of appeal of all the courts of Great Britain.

## Early School Return Seen For Dunn Child

The News and Observer
Raleigh, N.C.
Sat. 9-24-60

BUNN (AP) — Little Edna Sue Hump may be going back to school Monday.

This was indicated Friday when A. B. Johnson, principal of Dunn Schools, said he was expecting the parents to send the child back to the Mary Stewart Elementary School. Johnson, however, did not say when he expected to return to school.

Parents of the seven-year-old, second-grader have kept her out since Monday on Johnson's advice. Johnson gave the advice after a rumor spread through Dunn that the attractive, dark-complexionsd child was part Negro.

However, school records, including her birth certificate, says that she is white. She attended a white school in Trenton last year.

After the rumor spread, a group of white parents gathered at the school Tuesday and milled around. But the child did not show up.

Johnson said he had advised the parents to keep the little girl out of school through Thursday or Friday—a period that has now ended. He said he did so "to avoid violence."

Johnson said he knew of no legal obstacles to the child's returning to school, pointing out that "the child has a white birth certificate."

"I don't know what will happen," he said. "I hope nothing does . . . we can't aford to let a mob rule. I believe that's the general feeling of people in Dunn."

# Deals Blow To N.C. Jim Crow School Law

## Orders School To Admit 8 Negroes

ASHEVILLE, N. C. — A federal court judge here has dealt a death blow to one of the most heart-sickening of all school segregation schemes.

NAACP attorneys fighting the case to victory in the courts contend however, that the situation just ended in Yancey County, N C., still has many parallels throughout the South.

On Sept 13 Federal Court Judge Wilson Warlick ordered the Yancey County Board of Education to admit eight Negro students to a white high school in their own county.

Prior to the order the high school boys and girls as well as 17 elementary age pupils rode by bus 80 miles a day over twisting mountain roads to attend segregated schools in Asheville Yancey County had public schools but for whites only and refused to absorb the few Negro students.

**UNENDURABLE**

Leaving home in the predawn darkness and returning after nightfall each day, the youngsters and their parents decided last year that the perilous journey was no longer endurable.

The parents determined to keep their children home and organized a temporary tutoring system while NAACP attorneys pushed the attack on the basic problem.

Meanwhile, the school board, in a move of desperation, ordered construction of a new Negro school in Burnsville and the assignment of the high schoolers to the Oak Crest school which was not a high school.

**ILLEGAL**

In his decision Judge Warlick held that the 1959-1960 assignments to Asheville were illegal because the North Carolina Pupil Assignment Law does not authorize such transfer out of the county.

He held that the 1960-1961 assignments of the high school plaintiffs to the Oak Crest school were illegal because Oak Crest did not have high school facilities and because assignments were on the basis of race. He ordered the students admitted to one of the two white high schools in the county within 30 days.

Judge Warlick also held that the Oak Crest school could be considered as part of the Burnsville (white) elementary school and that since Burnsville was in bad physical condition some of the elementary school plaintiffs could properly be assigned to Oak Crest.

He indicated, however, that such assignments would have to be upon the basis of residence and distance and could not be on the basis of race.

## Family Was "Helped" On Its Way

### Dunn Threw Tantrum Because 7--Year-Old Went To School

**Special Correspondence**

DUNN, N. C. — The city of Dunn breathed with a free conscience early this week.

The reason it no longer had to worry about a little dark - skinned white girl being around. The child and her parents are gone

**WITH OVER** $200 given them by neighbors, the girl and her mother and father pulled out in the still of the night one evening last weekend headed back to Georgia where they think maybe the girl's slightly - tanned complexion will not prevent her from being enrolled in a "white" school. It (the complexion) certainly had played havoc for the child here.

First of all, the appearance of the child at an "all white" school sent hundreds of "white" parents scurrying to the office of county school superintendent A. G. Proffitt. Those who didn't go to the superintendent's office made their way to the school where the child - not knowing what the cause was - was the center of attention.

**THESE PURE,** hard-working allegedly God - fearing, "white" parents had been traipsing all over the county because they felt that the child was a little too dark to go to school with their peach - and - cream complexioned children.

Even though the child's birth certificate showed her to be "white" and even though the parents were "as white as I am," according to the woman principal of the school, the superintendent advised the child to go home. He said he had heard that there would be "violence" if the child were allowed to enroll at the school.

..**THE PARENTS** of the child, declaring that they were free, white and 21, had decided to contest the child's rejection at the school, but neighbors (the white ones who had protested their dark skinned child) became civic - minded. They got out and rang door - bells, talked to merchants and others and in record time had $200 to send the child and her family packing to Georgia.

The "Case of the Dark - Skinned White Child" was this area's second "race issue" in as many weeks. Three weeks ago, Indian students - protesting a 70 - mile daily trip to an "Indian" school in an adjoining county - had staged a short-lived "sit - in" at a local school, asking to be admitted. The students were shooshed away and their parents arrested and convicted on charges of contempt of court.

'Touchy' Parents Insist on Ban in N.C.

# White Girl 'Too Dark' for School

DUNN, N. C. — Color, father than race, was the problem confronting the Harnett County School Board as parents objected to admitting a dark-complexioned girl to all-white Mary Stewart Elementary School.

**The color problem involved Edna Sue Hump, 7, described by Principal Mrs. L. L. Milam as "not exactly light skinned, but the records all show her white."**

The girl was forced to leave school and stay away from classes when a group of about 20 white parents milled about the school.

**THE HARNETT** School Board recently was involved in a dispute with a group of Indian parents who object to sending their children 72 miles daily to an Indian school. That dispute has not yet been settled.

**District School Principal A. B. Johnson said he advised Edna Sue to stay away from the school after she had attended school for one day. Her family moved from Jones County where she attended a white school last term.**

"After the Indian situation in Dunn," Mrs. Milam said, "they all are so touchy. When this little girl came with dark skin they came to the conclusion she should be sent home."

# NC Laws On Segregation Issue Sound and Logical, Bruton Says

The man tapped to become North Carolina's attorney general said Monday this state has shown that the school segregation problem "can be met head-on with a minimum of difficulty."

BRUTON

T. Wade Bruton, 57, declared, "North Carolina has taken the lead in meeting the problem. Our laws dealing with the segregation issue have been demonstrated in test cases as being sound and logical."

Bruton, who was picked Saturday by Governor Hodges to succeed Malcolm Seawell, was busy Monday answering congratulatory telephone calls and greeting well-wishers. He will assume his new duties late this month. Seawell will step down to seek the Democratic nomination for Governor.

Bruton said his moderate views on segreation are essentially the same as those of Seawell. He added, "We have to abide by the U. S. Supreme Court decision." The State's course of action in dealing with the school segregation problem has seen limited, token integration put into effect in several cities.

A native of Montgomery County, Bruton will take with him to his new post 26 years of experience as an assistant attorney general. He has served under six attorneys general.

"I've got a lot to live up to," said Bruton. "Everyone of my predecesors did an outstanding job."

He paid tribute to Asst. Atty. Gen. Ralph Moody "for the very fine work he has done in handling the State's briefs and agruments in school segregation cases."

Bruton said he hasn't studied the problem of court reforms "too serisouly," but feels that modernization and improvements in the North Carolina court system are definitely needed.

A graduate of Duke University law school, Bruton began the practice of law in 1927. He entered politics in 1928 and ran for the House of Representatives in Montgomery County. He was runner-up in the first primary by 10 votes and won in the runoff race by five votes. In the general election that fall he won by 23 votes. Bruton served two terms in the House, 1929 and 1931.

Bruton, whose wife died early this month, served three months in 1933 as clerk of court in Montgomery prior to joining the State attorney general's office as an assistant. When he came here July 1, 1933, the late Dennis G. Brummitt was attorney general. Brummitt's only other assistant at that time was A. A. F. Seawell, who later became attorney general and a member of the State Supreme Court. He was the father of Malcolm Seawell.

Bruton, who has been active in National Guard work, holds the rank of colonel and heads the State headquarters and headquarters detachment of the Guard.

He was called into Army service in 1942 with the rank of captain. Early in 1945, he went to Germany with the war crimes branch of the Army, serving as chief of the prosecution section in Wisenbaden. In this capacity, he helped prepare cases for trial against Nazis accused of mass murders in concentration camps. Bruton returned to the United States in 1946 and resumed his job as assistant attorney general.

In addition to Attorneys General Brummitt, A. A. F. Seawell and Malcolm Seawell, Bruton has served under the late Harry McMullan, William B. Rodman and George Patton.

# Carolina case may set trend

ROANOKE RAPIDS, N.C.—Northampton County has been called on to drop "split" school terms for colored children, beginning with the 1960-61 academic year.

The protest of the "split" term was registered by the "Progressive Civic Union at its convention last week.

Northampton County divides its school year into two parts. The first term beginning in July— with some time off during harvest season to allow children to help out with gathering the crops— and the second term begins in the fall.

* * *

**IN OTHER** action taken by the group, a resolution was passed commending Halifax School officials for bowing to the wishes of the union and community in the Hollister School incident.

Also the group voted to pursue further the voting registration literacy test question.

A vote of confidence also was given Dr. A. E. Perry, now in prison after being convicted on a charge of performing an abortion on a white woman.

* * *

**IN THE** Hollister School incident, the board of education had planned to separate the Indians from colored children at the new school.

The board decided to let the school remain integrated, however, after the colored community and the union protested.

North Carolina's attorney general was asked to rule on the literacy requirement registering to vote. He was asked if the requirement included spelling from dictation by registrars. He advised that the issue should be taken up with the State Board of Elections.

* * *

**OFFICERS ELECTED** at the session were the Rev. N. K. Dunn, Weldon, president; the Rev. Alexander D. Moseley, Weldon, vice president; Mrs. Shelia W. Palmyria, assistant general secretary; Mrs. Estella Smith, secretary;

And also A. C. Cofield, Weldon, treasurer; Dr. S. Alter J. Cochran Jr., Weldon, financial secretary; the Rev. A. C. Matthews, Weldon, auditor; and James R. Walker Jr., attorney, executive director.

# Loan Okayed to Build Yancey Negro School

The State Board of Education voted Monday to finance a three-room schoolhouse for 27 schoolless Yancy County Negroes.

It granted the $30,000 school construction loan upon request of the Yancey County Board of Education which has been opposing Negro efforts to enter all-white schools.

The loan application passed unanimously when it was presented to the full membership of the State board.

But earlier in a private meeting of the board's nine-member finance committe, it drew three opposition votes.

**Dr. Jordan's Stand**

Dr. Charles E. Jordan of Duke University said he voted against the loan when it was put before the committee "because I think we have enough small schoolhouses in North Carolina.

"We ought to be getting rid of our small schools, rather than build more," he said.

H. L. Trigg of Raleigh, who is the State Board of Education's only Negro member, said he also voted against the loan because he is opposed to small schools.

"There was no controversy about this at all," he said. "It was discussed along the lines of school standards."

The third opposition vote was cast by Charles W. McCrary of Asheboro. He declined comment.

Attempts of Yancey County Negroes to enter all-white schools attracted national attention last year when the National Association of Colored People published advertisements in northern newspapers.

The advertisements pointed out that there is no Negro school in the county and that the Negroes had to ride a school bus 40 miles into Asheville to attend school.

Since the advertisements appeared, the 27 Negroes involved have refused to ride the bus. Some are attending makeshift schools in Yancey and others are enrolled in a private boarding school in Asheville.

Meanwhile, Negro parents are bringing suits to have their children admitted to white schools in Yancey County.

There has been no Negro school in Yancey County since 1958 when the County Board of Education closed Lincoln Park Elementary School in Burnsville, a one-teacher school.

The closing action came after several Negro parents refused to send their children to the school. The children were then reassigned to schools in Asheville.

The new school, which is to be financed from State funds, would also be located in Burnsville.

State Board of Education members said the school will serve grades 1-12. It will include two classrooms, a multi-purpose room and restroom facilities.

# Public Schools

GREENSBORO (UPI)—Chancellor Gordon W. Blackwell of Women's College told graduating high school pupils Thursday night that America's public schools, the nation's chief bulwark of democracy, must be preserved and kept open for the children of all the people.

"For more than a century, local control and local administration have proved the effective way to keep the schools close to the people and in line with the desires of citizens," Blackwell said in giving the commencement address at Page High School.

"Any effort at higher levels to take public school decisions away from the local community constitute an unwarranted threat to democracy," he declared.

"Not only must local control of our schools be preserved, education at all levels must be financed much more adequately if competent teachers are to be retained and sufficient space provided to educate the rapidly increasing number of young people."

# Full School Step Asked In Durham

From News Dispatches

GREENSBORO, N. C., April 30—A suit filed by 101 Negroes today asked a Federal Court judge to order the Durham School Board to proceed at once with mass desegregation of the city schools.

The suit, backed by the National Association for the Advancement of Colored People and two Durham groups, was brought by Negroes whose requests for reassignment of their children to other schools was denied.

Conrad O. Pearson, chief counsel for the NAACP in North Carolina, said the "general segregation suit" was an attempt to end once and for all any segregation in the city schools and assignment of principals, teachers or other school personnel on the basis of race.

Durham has had token integration in ctiy schools for three years.

In Little Rock, Ark., meanwhile, Federal Judge J. Smith Henley approved an integration plan for the Dollarway School District based upon the state's public placement laws. The judge warned that the board must use the plan in good faith until racial discrimination has been eliminated.

There were these other racial developments:

• Mississippi Gov. Ross Barnett signed legislation providing prison term up to 10 years for persons convicted of inciting a riot. The action stemmed from last week's racial violence on beaches at Biloxi.

• The Ku Klux Klan has had a shakeup of grand dragons in Alabama. E. L. Edwards of College Park, Ga., imperial wizard of the U. S. Klans, Knights of the Ku Klux Klan, fired Robert M. Shelton as the Alabama grand dragon and named Alvin Horn to replace him.

• The president of predominantly Negro Kentucky State College has threatened to expel any students who take part in anti-segregation demonstrations on the campus.

• New sitdown demonstrations were staged at Savannah Ga.; Austin, Tex.; Chattanooga, Tenn., and Baton Rouge, La.

## *Political Roundup*

# School Integration Discussed By Seawell

The governor of North Carolina should refrain from any interference in local problems of school integration, Malcolm B. Seawell declared Sunday.

The candidate for governor told a panel of news reporters on a Durham telvision program that local school boards themselves must handle the issue of racial integration.

If the governor of the state should attempt to intervene, Seawell asserted, "we would quickly find our progress going to pot." Keeping the public schools open, Seawell said, is the paramount problem faced by the state in the wake of the May 17, 1954, decision by the U. S. Supreme Court schools.

Home stretch campaigning will occupy the four candidates for governor in the remaining week before the May 28 primary. The contest easily could go into a run-off primary in June.

Sen. B. Everett Jordan, out to keep the post he received by appointment from Gov. Hodges, is being challenged by House Speaker Addison Hewlett of Wilmington and two other candidates.

Seawell promised to continue industrial development efforts in a Saturday night address over a Winston-Salem radio station. He said "more jobs and bigger paychecks" could result from such a program.

"As governor, I shall consider it my number one goal to expand and intensify the outstanding industrial development program which the state has developed during the last several years," he said.

Seawell will campaign in Guilford County Monday.

John Larkins, the state's Democratic National Committeeman, will tour Harnett and Sampson Counties Monday for support in his bid for the gubernatorial nomination.

Terry Sanford, Fayetteville lawyer, has an early morning news conference in Raleigh before flying to Asheville for the State convention of the American Legion. He will move on the Henderson county late Monday.

I. Beverly Lake, Raleigh lawyer, will take his campaign for the governorship to Alamance County. He has a speech over a Winston-Salem television station set for Monday night.

# Assignment Act is challenged

GREENSBORO, N.C. — A school integration suit challenging the pupil assignment act and demanding integration of school staffs from custodian to principal was filed Monday in Federal Court.

The suit on behalf of 116 Durham pupils goes further than one filed in April on behalf of 165 pupils. The earlier suit is still pending in U.S. Middle District Court. Both were directed against the Durham Board of Education and the City School Superintendent.

The latest suit attacks the constitutionality of the assignment and enrollment of pupils act, North Carolina's "moderate" approach and answer to school integration. It also reviews the unsuccessful efforts of Durham's colored citizens since 1955 to have their children re-assigned to all white schools on all but a token scale.

The plaintiffs ask Judge Edwin M. Stanley for a restraining order telling the school board it must not deny admission for the current year on the basis of race and using the Pearsall Plan as a pretext.

# Chapel Hill Racial Suit Sticks In District Court

DURHAM (UPI) Judge Edwin M. Stanley of U. S. Middle District Court refused Wednesday to throw out an integration suit against the Chapel Hill Board of Education on the grounds that it was a class action.

Stanley, in a hearing here, told the parents of 10-year-old Stanley Vickers, who is seeking admission to an all-white elementary school, and C. O. Pearson, an attorney for the NAACP, that "It has been clearly established in the Fourth U. S. Circuit that class action suits for integration will not be upheld."

However, the motion was denied although Stanley dismissed a portion of the suit which named individual members of the school board as co-defendants in the case.

He said the members could be sued corporately as a school board but could not be sued as individuals "in such matters."

The Chapel Hill School Board was given until May 5 to file an answer to the suit which asks for a permanent injunction ordering the board and its members to refrain from operating segregated schools.

Young Vickers' parents, who filed suit on behalf of their son, also seek an order forcing the Board to outline a plan for carrying out school integration. The Board voted last year to begin token integration at the first grade level this September. But the plan puts the responsibility on initiating integration on the parents of children.

The suit also asks that young Vickers be assigned to an all-white elementary school to which he failed twice to gain admission. Stanley said this was a "moot question" since Vickers will be ineligible to attend the school next year.

Vickers is currently in the sixth grade and the school to which he seeks admission has no seventh grade.

# Dunn Protests Keep Girl, 7, From School

By HOOVER ADAMS

DUNN — A seven-year-old girl whose parents have just moved into the community was kept away from the all White Mary Stewart Elementary School on the outskirts of Dunn Tuesday in the face of warnings from other school parents who claim the child is part Negro.

Mrs. L. L. Milam, building principal, said the girl's birth certificate is in order, however and that she is listed as white.

"Oh it's just something to get stirred up about," said Mrs. Milam." After that Indian situation in Dunn they are all touchy, so when this little girl came with dark skin they came to the conclusion she should have been sent home. If we started sending them home because they were a little dark skinned there would be three or four around here who would go home.

"The records all show white," added Mrs. Milam." The parents are as white as I am."

Harnett School Supt. Glenn T. Proffit confirmed that Dunn Principal A. B. Johnson had advised the parents of Edna Sue Hump to keep the second grade student away after receiving reports Monday night of threatened violence.

A group of about 25 or 30 parents were milling around in front of the school when classes began at 8:15 Tuesday morning.

Her parents are migrant farm workers from Georgia, who reportedly moved into the community to pick cotton. Last year, she attended the all-white Comfort School near Trenton in Jones County.

Tuesday's incident came on the heels of the attempt of Dunn Indians to integrate into the all-white Dunn High School. The Mary Stewart Elementary school is also a part of the Dunn School District and is located on the Dunn-Benson highway just a few miles north of Dunn.

In the Indian case, Attorney Nelson A. Taylor of Fayetteville filed notice of appeal to the State Supreme Court from the conviction Monday of two Dunn Indians who were fined for aiding and abetting and encouraging their children to attending school in defiance of a court order.

"This is a new one on me and I frankly don't know what to do about it," declared Proffit regarding Tuesday's case. He said the Harnett County Board of Education would probably take some action after a thorough investigation of case and the facts determined, meanwhite he indicated the girl will be asked to stay away.

# Seven Negroes Reapply In Caswell County

YANCEYVILLE (UPI)—Seven Negroes who were part of a group of 44 which filed a school integration suit four years ago have reapplied for admission to all-white Caswell County schools.

Superintendent Tom Whitley reported Saturday the seven had refiled their applications Thursday as a new step in the long-standing legal action. The original suit is still pending in U.S. Middle District Court in Greensboro.

The requests this past week came as a result of an agreement reached last October by attorneys for both sides. The school board sought to determine how many of the original 44 wanted to pursue the integration attempt.

They were given until March 1 to list the names of students who still wanted to attend white schools here. Nineteen were listed but four were removed because they were not in the original group.

Of the 15 eligible students, 10 asked for application blanks and seven turned them in by the deadline this past week.

The integration suit filed by Negroes here was one of the first to come up under state laws enacted subsequent to the 1954 desegregation ruling by the U. S. Supreme Court. So far, none of the schools in the county have been integrated although about 35 Negroes attend predominantly white schools in a half-dozen North Carolina cities.

# NAACP's Aid May Be Sought

Sat. 6-18-60

## Trying For 4th Year To Enroll 2 Sons; Given Run-Around

MONROE, N. C. — (UPI)— A Union county leader has renewed for the fourth consecutive year his attempts to crack Monroe's classroom racial barriers by having his two sons admitted to an all-white school.

Robert F. Williams said Thursday, however, school officials were using "delaying action" that might prompt him to call on the NAACP for help.

**HIS EFFORTS** to have his sons reassigned to East Elementary School have failed for the last three years. School officials have said the requests came too late or were not in the proper form.

Mr. Williams said he had written letters requesting the transfers and sought to obtain "proper forms" from the superintendent's office.

**HE WAS TOLD**, he said, there were no forms available and that Superintendent W. R. Kirkman, who had the forms, was out of town.

"This is the same maneuver that I've met for the past three years," Mr. Williams charged. "It's a delaying action. They're trying to cause me to be late again so they can reject the children on a technicality.

**"BECAUSE I'M** having such a hard time getting cooperation, I feel I must now appeal to the NAACP for help in processing this."

Mr. Williams, local NAACP head who was suspended for advocating that colored people be prepared to meet violence with violence, has been a leader in various integration attempts here.

A half-dozen North Carolina cities have begun limited integration in their schools but classes in Union county remain segregated.

# Suit Involving 170 Negro Students Filed Against Durham Board of Education

NEW YORK, May 3.—A suit involving 170 Negro students was filed last week in the federal district court against the Durham Board of Education. This is the largest number of plaintiffs in a single legal action brought against a school system since the Supreme Court 1954 decree outlawing segregation in public education.

The Durham Board of Education is accused of using the North Carolina Pupil Placement laws to maintain and operate segregated schools by assignment on the basis of race. The North Carolina Pupil Placement statutes give local school officials the authority to assign school children on the basis of various vague factors.

The suit charges the school board with making assignments on the basis of 2 school zones—one for white and another for Negro students. It also accuses school officials of operating 2 segregated school systems.

The school board has not applied the state pupil placement statutes as a means of abolishing state-imposed racial distinctions, the court was told in the complaint filed here today. Nor have the school authorities advanced a genuine method for desegregating the city's public schools, the complaint charged.

The complaint was filed on behalf of 170 Negro children by NAACP Legal Defense and Educational Fund attorneys. It asked the court to issue a decree enjoining the school board officials to cease operating segregated schools and to present a complete desegregation plan within a time set by the court.

The action today resulted from refusal of the school board to grant requests of 217 Negro students who sought re-assignment from refusal of the school board to grant requests of 217 Negro students who sought reassignment from all-Negro schools to schools nearer their homes.

At the hearing at which 170 students applied for change of assignment, 85 personally appeared. Those who did not personally appear were represented by counsel. The board rejected those who did not appear because they were not present. It rejected the others without any explanation.

Originally 225 sought reassignment before the 1959-60 school term Eight were reassigned and the other 217 were required to continue attendance at the all-Negro schools.

Attorneys for the Negroes are Lincoln C. Jenkins of Columbia, South Carolina; and Matthew J. Perry of Spartanburg, South Carolina; Thurgood Marshall and Jack Greenberg of the NAACP Legal Defense Fund staff in New York City.

# Segregation Issues Stir North Carolina In Run-Off Contest

Sun. 6/19/60

Special to The New York Times.

RALEIGH N. C., June 18—North Carolina's program of moderation in handling the school-segregation problem faces a major test Saturday in the run-off primary for the Democratic gubernatorial nomination.

The race issue has been paramounted during the run-off campaign by Dr. I. Beverly Lake, a former law professor and a former assistant state attorney general, who was runner-up in a first primary in which two candidates were eliminated.

Although Dr. Lake sounded the massive resistance horns in the first primary, his loudest blasts have been heard since and race now looms as virtually the only issue on which the contest will turn.

Terry Sanford, a Fayetteville lawyer, led the four-man field in the first primary with 269,463 votes and remains the favorite to win the run-off. Dr. Lake received 181,692 votes in the first primary. The eliminated candidates were former Attorney General Malcolm B. Seawell, who received 101,148 votes; and John D. Larkins Jr., the Democratic national committeeman who received 100,757.

Since the first primary or May 28 there has been considerable regrouping of forces. Neither Mr. Seawell nor Mr. Larkins, both of whom championed moderation in their campaigns, has publicly taken sides in the run-off. Nor has Gov. Luther Hodges, who supported Mr. Seawell in the first primary.

However, the Governor has left little doubt in the public mind that he prefers Mr. Sanford to Dr. Lake. His principal statement has been that he considers the election one of the most vital the State has faced in many a day.

# Indian Pupils Stage Sit-In

DUNN, N. C. — (UPI) — Two Harnett county Indian pupils staged a new sit-in at the all-white Dunn high school Monday, defying a court order.

The two pupils, Juanita and Emma Chance, 15, came to the school in a taxi and quitely entered with a group of white pupils.

School officials at first barred newsmen from the school but later let them enter where the two Chance girls were seen sitting in class.

Guy Wilson, an instructor at the school, said he guessed his pupils had accepted the Indians. School was not disrupted by the sit-in.

School officials indicated they would take no action against the two until the Harnett county board of education completed a meeting in Lillington, 18 miles away. District Solicitor Archie Taylor was at the meeting, to discuss the charge was dropped the next day.

The Chance girls were among seven Indian pupils who were removed from the grounds of the Dunn school by police last week and held in Patrol cars for 45 minutes.

Several Indian parents were cited for contempt for violating the court order as a result of the demonstration Thursday, but the

# Sanford Says Win Shows Confidence In School Program

Terry Sanford, Democratic nominee for Governor of North Carolina, said Sunday his victory showed the confidence of voters in North Carolina's moderate approach to the school segregation problem.

Several state Democratic party leaders agreed this was an important factor in Sanford's tremendous victory over Raleigh attorney I. Beverly Lake in Saturday's runoff primary.

Unofficial returns from all but 17 of the state's 2,094 precincts gave Sanford 352,945 votes to 275,512 for Lake, who campaigned as a last-ditch segregationist.

It was the second highest Tar Heel vote on record. The highest, 653,060, was set in the first primary May 28 when Sanford piled up an 87,771-vote lead over Lake in the four-man race.

**Meet Tuesday.**

The state's 100 county boards of election will meet Tuesday to canvass and certify the returns. The State Board of Elections meets July 5.

Sanford, supporter of North Carolina's Pearsall Plan for handling the school segregation issue, said "I don't know whether the people will ever be satisfied with the way the segregation problem is being handled, but I know they have confidence in our plan."

The Pearsall Plan has resulted in token integration at some schools in a few Tar Heel cities.

Lake, 53, a former assistant attorney general, pledged during his campaign that if elected he would create a climate of public opinion against integration. He assailed Sanford's proposed spending program, declaring it would either bankrupt the state or require big tax increases.

Sanford, boyish-looking 42-year-old attorney from Fayetteville, campaigned on the promise for a "new day" of progress. He emphasized the importance of increased spending for education.

Sanford and his wife plan to take a few days vacation this week at a beach resort.

**Wants To Relax.**

"We haven't made up our mind where we're going," said Sanford. He admitted the second primary campaign had been gruelling and he wanted to relax a bit.

Sanford plans to be on hand here Monday morning when North Carolina's delegates to the Democratic National Convention meet to make plans for their trip to Los Angeles.

John D. Larkins of Trenton, who lost out in the four-man race for governor in the May 28 primary, said "The climate of opinion has been toward North Caroline's moderate approach to the school segregation problem. I think that this was an important factor" in Sanford's victory.

Larkins pledged Sanford "my 100 per cent cooperation and support. I think he will make a fine governor."

Former Atty. Gen. Malcolm B. Seawell, also beaten in the first primary, endorsed Sanford's candidacy two days before the runoff primary.

Woodrow Jones of Rutherfordton, state Democratic chairman, agreed that the moderate approach advocated by Sanford in handling the school segregation problem played a big part in Sanford's victory.

Jones said, "I've known Mr. Sanford for many years. I think he will make a good governor. He won an impressive victory."

Sanford jumped into an early lead Saturday night and gradually widened the gap as returns flowed in at a fast clip.

Lake conceded defeat shortly before 9 p.m. then he visited Sanford's headquarters and congratulated him on his tremendous vote. He told Sanford, "I wish for you a successful administration."

Earlier, in a radio talk, Lake said "The principles for which we fought are eternal."

Gov. Hodges, in Montana to attend the National Governors' Conference, sent Sanford a telegram extending congratulations and wishing "you every success."

# Chapel Hill Assigns Three Negro Pupils

CHAPEL HILL (UPI) — The Chapel Hill School Board assigned three Negro first graders to white schools Monday night, breaking the racial barrier in one more North Carolina city.

The Board's action came after it considered a total of 12 reassignment applications. Nine Negroes, seeking admission to an all-white junior high school, were denied their requests for reassignment.

All the applications had been made on the grounds of geographic location, but the board said it had earlier set a policy to begin limited integration this fall in the first grade only. The policy was made last year when the Board turned down the reassignment application of Stanley Vickers.

**Refused Again.**

The Vickers youth was again refused admission to a white school. His parents have taken their fight against what they called "segregated assignment" to Federal Court and their attorneys will meet with legal representatives of the Board July 28 before U. S. Middle District Court Judge Edwin M. Stanley.

A spokesman for one of the Negro groups pushing for integration in the Chapel Hill school system said the 12 students who made applications were selected on the basis of their chances of being reassigned.

The Board's announcement came after it met in an executive session for 30 minutes. The members voted unanimously to approve the reassignment applications. Five of the seven members were present for the voting.

**Those Assigned.**

Those assigned to Estes Hills Elementary School, a new suburban unit, were Ralph Harris Jr., 5; Patricia Ann Burnett, 6, and Sheila Karen Barden, 6. The three live in a Negro community near the school.

Cities already with limited integration are Greensboro, Durham, Winston-Salem, Charlotte, High Point, Goldsboro and Havelock.

Integration at Havelock and Goldsboro, the only two of the seven communities in rural Eastern North Carolina, was restricted to schools used by dependents of servicemen at large military bases.

# First Grade Mix Program Adopted

By United Press International

The school board of the eighth North Carolina city to begin a program of limited racial integration in the schools assigned three Negro children to the first grade of white schools Monday night. In neighboring Tennessee a new drive began against lunch counter segregation.

The school board at Chapel Hill, N. C., home of the University of North Carolina, turned down requests of nine Negro pupils for reassignment to a white junior high school. But the board assigned three Negro first graders under a policy announced last year to begin limited integration in the first grade.

Other North Carolina cities where limited integration already is in effect are Greensboro, Durham, Winston - Salem, Charlotte, High Point, Goldsboro and Havelock—the last two restricted to schools used by military dependents.

At Knoxville, Tenn., Negroes picketed Rich's department store demanding integration of lunch counter service. Leaders said protests would continue in a "full-scale drive to obtain equal treatment."

There were incidents of egg throwing and water splashing during the eight-hour picketing siege Monday but no arrests.

There were these developments elsewhere:

Three registrars of Terrell Countyn Ga., went on trial in federal court at Albany on charges of discriminating against Negro voter applicants.

**NAACP FILES SUIT**

The National Association for the Advancement of Colored People filed suit in federal district court at Montgomery seeking to force Alabama to let the NAACP register to do business in the state. It has been barred under a temporary state injunction issued four years ago.

Federal Judge Oren Lewis postponed until July 29 a hearing on the constitutionality of the closing of schools in Prince Edward County, Va., to avoid integration.

A three - judge federal court panel at Memphis took under study a test case attacking bus segregation. At Nashville's Fisk University race relations institute Harvard Prof. Thomas Pettigrew said ministers of major Protestant denominations in the South generally favor integration.

# 170 Pupils Attack Placement laws take a beating

The Afro-Am, Baltimore, Md. Sat. 5-14-60

DURHAM, N.C. — Attorneys for 170 colored children here have asked the federal district court to enjoin city school officials from assigning children to schools on the basis of race and from operating segregated schools.

The case has a larger number of plaintiffs than any since 1954.

The suit, filed last week, also asks that the court require the school officials to present a plan for desegregation of schools within a time to be set by the court.

The suit is an outgrowth of the request of 217 students to be reassigned from jim crow schools to schools nearest their homes. The requests for change of assignment were made to the school board.

The board assigned only eight of the children. The other 217 were made to stay in the jim crow schools. The board rejected 85 of the students because they did not attend the hearding personally but were represented by their attorneys. The others were rejected with no explanation.

In the suit filed last week, attorneys for the children said the school board is using the state's pupil placement laws to maintain segregated schools. These laws give local officials the power of making school assignments.

The suit maintains that Durham is still operating two, segregated school systems and is not using the placement laws as a means of abolishing segregation.

Attorneys for the children are: Lincoln C. Jenkins, Columbia, S.C.; Matthew J. Perry, Spartanburg, S.C., Thurgood Marshall and Jack Greenberg of the NAACP Legal Defense Fund staff in New York.

* * *

**NAACP GENERAL** Counsel Robert L. Carter reported to the National Science Foundation that West Texas State College in Canyon does not accept colored students.

He asked that Foundation director Alan T. Waterman investigate the school and "any other institution participating in this program which similarly has a policy of racial exclusion."

Mr. Carter suggested that such schools "must either forego their policy of discrimination or their participation in the (science) program itself."

The case arose when a colored applicant for a summer institute at West Texas State was told "West Texas State College does not accept colored students at this time. There are many other institutions which do accept colored students."

* * *

**PUPIL PLACEMENT** laws devised by several southern states to thwart or retard school desegregation received a setback last week.

The U.S. Fifth Circuit Court of Appeals, sitting in Jacksonville, Fla., ruled that colored students do not have to first apply for reassignment or to "exhaust all administrative remedies" before bringing suit for school desegregation.

The court clearly stated that the responsibility for desegregating schools is that of the school board.

The court also decreed that colored children seeking to get out of jim crow schools are not to be singled out for evaluation under the state's placement laws.

Under Florida placement laws, for instance, students seeking transfers must meet psychological, religious, ethical, cultural, health, safety and good order" requirements in order to be reassigned from all-colored schools.

Although the case which drew the decision refers to the schools in Tampa and Hillsborough County, Fla., the decision is binding on all states within the purview of the Fifth District.

These states are Florida, Georgia, Alabama, Louisiana, Mississippi and Texas.

Attorneys for the students in the case were Francisco Rodriquez, Tampa; Constance Baker Motley and Thurgood Marshall, New York.

* * *

**THE AIRPORT** segregation issue is still very much alive as the Fourth U.S. Circuit of Court Appeals reversed the dismissal of the Greenville, S.C. airport case by U.S. District Judge George Bell Timmerman.

The district court must now hear the case on its merits and record the testimony about segregation at the airport.

The case began in 1958 when Richard Henry, a public relations man for the Air Force, was not permitted to sit in the main waiting room at the airport while awaiting his flight for Detroit.

Representing Mr. Henry were Lincoln C. Jenkins Jr., Thurgood Marshall and Jack Greenberg, of the NAACP legal staff in New York.

* * *

**IN LOUISIANA,** Federal District Judge Skelly Wright ruled in favor of colored students, asking for the end of segregation at state trades schools.

The schools are: the Southwest Louisiana Trades School, Crowley; Natchitoches and St. Helena Parish Trades School, Greensburg; Sowela Vocational - Technical School, Lake Charles; the T. H. Harris in Opelousas and the Shreveport Trades School, Shreveport.

Defendants in the cases were the St. Helena Parish, the East State school boards and Shelby M. Jackson, state superintendent of education.

Judge Wright denied a petition by white parents that their children would suffer if the schools were integrated.

* * *

**JUDGE WRIGHT** also named May 16 as the date for the New Orleans school board to present to him its plans for school desegregation.

The problem has been hanging fire since 1956 when he enjoined the Orleans Parish school board from continuing a policy of segregation.

In Little Rock, U.S. District Judge J. Smith Henley told the Dollarway school board that its placement plan was all right but the board must "use it in good faith until racial discrimination has been eliminated."

The grade-a-year plan, starting with the first, begins this fall.

Colored attorneys are appealing the ruling.

The Dallas school board adopted a school integration plan which is to start in 1961. Whether or not Fedral Judge T. Whitfield Davidson will also approve it is still to be seen. The plan is of the grade-a-year variety, starting with the first.

* * *

**IN RICHMOND, Va.,** Virginia Union student demonstrators were joined by white students from Union Theological Seminary in their protest movements. Students at both schools called for increased support from the community. Next Monday (May 16) appeals of 34 Virginia Union students will be heard. They were convicted of trespassing and fined $20 for staging a sitdown.

In Columbia, S.C. some 30 Allen University and Benedict College students marched on the South Carolina State House and the Governor's Mansion. The demonstration was in connection with current legislative moves to curb school desegregation.

* * *

**ATLANTA SEGREGATIONISTS** plan a suit to test the city's power to levy taxes after being ordered to desegregate. The 1959 state school-closing law says that a city under integration orders loses its authority to tax for school purposes.

The superintendent of Atlanta schools, John W. Letson, said in a speech that the city will be required "to make a beginning in some type of integration." He did not say when.

In Clinton, S.C., the way was cleared for five colored youngsters to sue for integration of Greene County Schools. Federal Judge Algernon Butler signed papers permitting their parents to file as "next friend."

The plaintiffs are: John M. Becton, Demetrice Forbes, Edgar L. Farmer, Jonathan D. Farmer and Nathaniel Forbes. Thurgood Marshall heads the legal corps for the plaintiffs.

14d(1) 1960 OHIO

# Toledo school officials deny charge by NAACP

TOLEDO, Ohio (AP) — The Toledo Board of Education and other school officials last week denied NAACP charges of discrimination against colored pupils and teachers.

Colored pupils, said Supt. Philo C. Dunsmore, are given the same opportunities as white children. A spokesman for the board of education stated that it selects the same kind of teachers, provides the same type of buildings and spends the same amount of money.

* * *

A SPOKESMAN for the association, however, charged that only token appointments were being made to administrative positions.

It was further urged that the board promote integration by not building schools in densely populated colored areas.

The meeting became very heated at one point.

* * *

MR. INEZ BOYD, a former teacher, questioned the board on its failure to include a colored person in the appointment of 19 counselors for the first time last spring.

The board spokesman noted that three colored persons applied, but only one was qualified. The person qualifying had a record of 17 tardy arrivals in a five-month period and resigned from the system last spring.

# Jackson Visitor Describes Mix Persecution In Ohio

By JERE REAL
Daily News Staff Writer

An Ohio father who went to jail rather than send his sons to racially integrated schools visited Jackson yesterday on a tour of the South.

Lawrence Ashcraft, a Cincinnati insurance man arrested in March for withdrawing his sons from a predominantly Negro school is in the South seeking depositions, affidavits, and other statistics to back his charges against the mixed schools in the North.

Ashcraft has been surpressed to find that many of the problems resulting from integrated schools in the North are nonexistent in the South.

**UNDER CONTROL**

"You have this situation under control down here," he said in an interview here yesterday.

"My children had to fight their way to school and back every day," he added, as he explained the plight of families caught in downtown "transitional" neighborhoods in increasingly integrated northern cities.

Ashcraft was arrested March 23 and charged on four counts of contributing to juvenile delinquency and with neglect of his two sons after he removed them from the Columbian School.

His arrest followed a two-year-long battle with local school authorities in which he tried to prevent his sons attending the predominantly Negro school.

Ohio, which has a compulsory school attendance law, can prosecute parents who withdraw their children from schools.

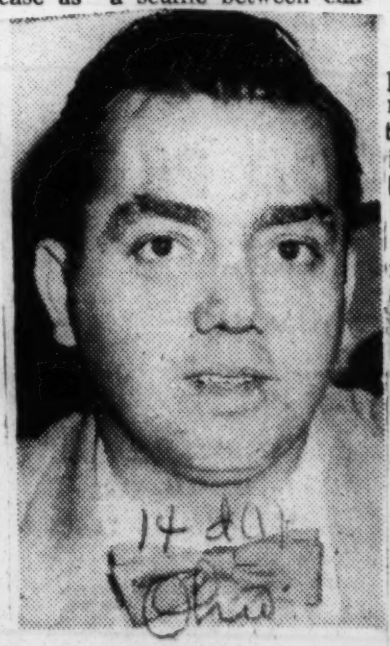
Yet, Ashcraft maintains he was not arrested and charged under this law but for contributing to juvenile delinquency and neglect a charge that could carry a penalty of 4 years in jail and $2000 in fines and court costs.

"I was willing to accept this, because anyone knowing the whole story couldn't have found me guilty of contributing to delinquency. That charge was ridiculous."

Ashcraft explained that in Columbia School, which has 89 per cent Negro enrollment, other parents of white children reported cases of fights, assaults, and abuse by the Negro majority.

His own 7-year old niece was assaulted and molested, Ashcraft asserts, by a gang of four Negroes. The incident was reported to school officials who in turn reported it to the mayor's "Friendly Relations Committee."

The Committee dismissed the case as "a scuffle between children." After this and based on his knowledge of other factors in the school, Ashcraft pulled his children out of the school and was then arrested.



LAWRENCE ASHCRAFT
Mixing Fugitive

**IN PAROCHIAL SCHOOL**

He explains that his case was dropped by the local school authorities only after his sons had been re-entered in a parochial school, which he accepts as a defeat in his attempt to bring the entire issue to public trial.

As a result, he plans to renew the issue by enrolling his children once more in public schools and pulling them out again.

"I am right back in the same position I was at the beginning," he says, and I will keep up the fight. I only want to be heard."

Ashcraft explained that during his time in jail in April local papers would never tell his complete story. "They tried to twist things to make it appear I was a bigot or a nut," he said.

"All I was trying to do was protect my children." He said he received hundreds of letters and telegrams during the time he was in jail, most of them in favor of his stand.

**REAL ESTATE SQUEEZE**

But, Ashcraft's most bitter remarks were reserved for the real estate persons engaged in "block busting practices" under federal urban renewal programs.

Ashcraft claims there are too many real estate agents in northern cities who buy up land under urban renewal planning and then sell it at higher rates to Negroes desiring to live in white neighborhoods.

Determined to be heard publicly, Ashcraft is ready to tackle singlehandedly the city of Cincinnati again, one of the reasons he is seeking depositions and statistical evidence on this trip.

"I only want the chance to prove I was thinking of my family," he said.

# Cincinnati Man Faces Trial For Refusal To Use School

CINCINNATI (AP) — It will be at least two weeks before Lawrence Ashcraft, 30, goes on trial in connection with his refusal to send his two small sons to a school he calls "predominantly colored" in student attendance, it was said Thursday.

Ashcraft, who is charged with child neglect, was granted a continuance of his case early this week so he could obtain new counsel.

Meanwhile, his wife has been teaching the children at home. They are Robert, 9, and Larry, 8.

Ashcraft tried to send the boys to another school, where more white children than Negro attend. The school board ruled that he did not live in the school district and would have to send them to Columbian School.

The father went to jail rather than comply with the order to send them to Columbian School. He declined to make bail, and four days later was released without bond.

Ashcraft, who has kept the children from the school since Feb. 22, has asked for trial by jury.

A board of education spokesman said Ashcraft, an insurance agent, has engaged the board in a running fued for two years over where his boys should go to school.

Ashcraft said he did not know at the time he bought their home that it was in a primarily Negro school district.

# Do Mixed Oklahoma Schools Reduce Negro Enrollment?

## Worried Educators Search For Reasons For Decline of Negro Enrollment in Oklahoma's Desegregated Schools

### Langston University President Believes Fewer Negroes Graduating and Going On to College

### Tougher Requirements in White Schools May Be Answer

(By ANP)

Worried educators are looking for the cause after indications of a decline in Negro enrollment in Oklahoma's desegregated schools appeared in October.

At least six Oklahoma counties reported apparent decreases in Negro pupils attending desegregated schools.

In Blaine county desegregated junior high schools were reported to have increased from two to three since last year but the number of non-whites attending them was down from 4 to 38.

Caddo county's desegregated senior high schools rose from six to seven, but their Negro enrollment dropped from 72 to 55. Six desegregated junior highs have but 56 Negroes, whereas last year five such schools had 68 Negroes.

The Negro enrollment in Grady county's only desegregated high school, Chickasha, was down from 82 to 51. Harmon and Jackson counties also reported small decreases, although each listed an additional desegregated high school.

Negro enrollment in Kingfisher county was said to be down in biracial senior high, junior high and elementary schools.

**Hale Seeks Answer**

What does this mean?

William H. Hale, newly-elected president of Langston university, said he has the definite feeling fewer Negro pupils are coming from high school and going to college. Because of the absence of official records giving an enrollment breakdown by race, he has no support that impres- he said he plans to com- of the problem out ncern for the future

closed last year and all Negroes in them sent to Chickasha High.

"We had a bunch of Negro students come over with excellent grades—A's and B's—but over here (in the white school) they barely get by," Day said.

"I'd hesitate to say the Negroes are dropping out because of tougher competition in the integrated school. They're taking part in all activities very well, and the white children are receptive to them.

**"Good Class of Negroes"**

"We have a good class of Negro people in Chickasha. They're pretty well educated, and I think our Negro schools did a good job. But when I look at the permanent records, I'm skeptical. The kids that made A's and B's in chemistry, for example, don't do so well in the white school. However, I'm sure it's a psychological block as well as the fact they're not as well prepared."

Day said the Negro children seem to have most difficulty with the languages, science, mathematics and English, judging by their grade cards.

**Fewer Negroes Being Educated**

Hale, a native Oklahoman and Langston graduate (1940) who has been away from the state 20 years, said desegregation has worked well in the sense that the number of Negro schools has gradually declined. "But it has not worked well, in my opinion, from the standpoint of more Negroes being educated," he declared.

While Langston's own enrollment is up over last year (645 compared to 590), Hale said he has the feeling there are not more Negro high school graduates than there were five years ago, and that perhaps even fewer are going on to college.

"I believe this poses an obligation on the State of Oklahoma," he said. "I don't believe the people of Oklahoma intended for certain segments of the population to cease to develop as a result of desegregation—that is, that we'd have fewer Negro graduates. Instead I believe it was thought the number would increase. I can't substantiate it but my feeling is that this is not true."

**Fears Present Trend**

The Langston president said he tried to find out for sure by asking other institutions for higher learning about the percentage of Negro students in their enrollment. He was told, he said, that they have no "means" for keeping records like that.

"It's my idea that if we keep on the way we're going, we'll reach the point where there will be no Negroes graduating from high school," Hale declared. "Where do we end up? I don't mean we should go back to segregation, but we need to take a good long look at our educational system and see what we can do about the problem. The people of Oklahoma have a responsibility to work out a solution."

Hale said he has some theories about why Negroes are not finishing school but does not care to advance them at this time. For the past 12 years he was chairman of the social science department at Clark college, Memphis.

Administrators in Oklahoma City checked first-of-semester enrollment returns and reported the system now has 11 desegregated schools, two more than in 1959. Actually, there are four new biracial schools, but two of last year's group now have all-Negro student bodies.

**A subcommittee of a legislator-citizen group studying possible reorganization of Oklahoma's higher education system was reported**

**Harly M. Day, the Chickasha high school principal, said he has fewer Negro students than last year.**

**Overall Enrollment Down**

**Actually, he went on, the overall high school enrollment is down (from 635 to 620) because of the graduation of a record senior class last spring and the entry of an unusually small sophomore class.**

**Nevertheless, Day conceded a trend toward lower Negro enrollments. In fact, he has been concerned enough that he has tried to find the reason.**

**"I'm guessing that our white high school won't hold the Negroes as well as the Negro school did," he said.**

**Compares Grades**

**The principal explained that until last year, Negro students had a choice of attending their own Lincoln High or the predominantly white Chickasha High. The top three grades at Lincoln were**

**ready to recommend desegregation of Langston university, the state's only all-Negro college.**

# Negro Enrollment Down In Oklahoma Schools

The Call Kansas City, Mo

OKLAHOMA CITY. — (ANP) — Worried educators are looking for the cause after indications of a decline in Negro enrollment in Okahoma's desegregated schools appeared in October.

At least six Oklahoma counties reported apparent decreases in Negro pupils attending desegregated schools.

In Blaine county desegregated junior high schools were reported to have increased from to to three since last year but the number of non-whites attending them was down from 42 to 38.

### A Check By Counties

Caddo county's desegregated senior high schools rose from six to seven, but their Negro enrollment dropped from 72 to 55. Six desegregated junior highs have but 56 Negroes, whereas last year five such schools had 68 Negroes.

The Negro enrollment in Grady county's only desegregated high school, Chickasha, was down from 82 to 51. Harmon and Jackson counties also reported small decreases, although each listed an additional desegregated high school.

Negro enrollment in Kingfisher county was said to be down in biracial senior high, junior high and elementary schools.

What does this mean?

### Sees Overall Decrease

William H. Hale, newly-elected president of Langston university, said he has the definite feeling fewer Negro pupils are coming from high school and going to college. Because of the absence of official records giving an enrollment breakdown by race, he has no figures to support that impression. But he said he plans to complete study of the problem out of a deep concern for the future of Negro education.

Harly M. Day, the Chickasha High school principal, said he has fewer Negro students than last year.

Actually, he went on, the overall high school enrollment is down (from 655 to 620) because of the graduation of a record senior class last spring and the entry of an unusually small sophomore class.

Nevertheless, Day conceded a trend toward lower Negro enrollments. In fact, he has been concerned enough that he has tried to find the reason.

"I'm guessing that our white high school won't hold the Negroes as well as the Negro school did," he said.

### Compares Grades

The principal explained that, until last year, Negro students had a choice of attending their own Lincoln High or the predominantly white Chickasha High. The top three grades at Lincoln were closed last year and all Negroes in them sent to Chickasha High.

"We had a bunch of Negro students come over with excellent grades—A's and B's—but over here (in the white school) they barely get by," Day said.

"I'd hesitate to say the Negroes are dropping out because of tougher competition in the integrated school. They're taking part in all activities very well, and the white children are receptive to them.

### Sees Psychological Block

"We have a good class of Negro people in Chickasha. They're pretty well educated, and I think our Negro schools did a good job. But when I look at the permanent records, I'm skeptical. The kids that made A's and B's in chemistry, for example, don't do so well in the white school. However, I'm sure its a psychological block as well as the fact they're not as well prepared."

Day said the Negro children seem to have most difficulty with foreign languages, science, mathematics and English judging by their grade cards.

Hale, a native Oklahoman and Langston graduate (1940) who has been away from the state 20 years, said desegregation has worked well here in the sense that the number of Negro schools has gradually declined. "But it has not worked well, in my opinion, from the standpoint of more Negroes being educated," he declared.

While Langston's own enrollment is up over last year (645 compared to 590), Hale said he has the feeling there are not more high school graduates than there were five years ago, and that perhaps even fewer are going to college.

"I believe this poses an obligation on the state of Oklahoma," he said. "I don't believe the people of Oklahoma intended for certain segments of the population to cease to develop as a result of segregation—that is, that we'd have fewer Negro graduates. Instead I believe it was thought the number would increase. I can't substantiate it but my feeling is that this is not true."

### Fears Present Trend

The Langston president said he tried to find out for sure by asking other institutions for higher learning about the percentage of Negro students in their enrollments. He was told, he said, that they have no "means" for keeping records like that.

"It's my idea that, if we keep on the way we're going, we'll reach the point where there will be no Negroes graduating from high school," Hale declared. "Where do we end up? I don't mean we should go back to segregation, but we need to take a good look at our educational system and see what we can do about the problem. The people of Oklahoma have a responsibility to work out a solution."

Hale said he has some theories about why Negroes are not finishing school but does not care to advance them at this time. For the past 12 years he was chairman of the social science department at Clark college, Memphis.

Administrators in Oklahoma City checked first-of-semester enrollment returns and reported the system now has 11 desegregated schools, two more than in 1949. Actually, there are four new biracial schools, but two of last year's group now have all-Negro student bodies.

A sub-committee of a legislator-citizen group studying possible reorgnization of Oklahoma's higher education system was reported ready to recommend desegregation of Langston university, the state's only all-Negro college.

# Desegregation In Oklahoma

The Pittsburgh Courier

Atlanta Daily World

While the forced entry of four small Negro girls in New Orleans has captured much national attention, out in Oklahoma desegregated schools are operating quietly. Of course, Oklahoma isn't the Deep South; there are considerably fewer Negroes, and there is evidence their economic level is relatively good across the board.

In Oklahoma, according to *Southern School News*, published by the Southern Education Reporting Service, experience is showing that fewer Negroes are in mixed schools this year than was the case last. Educators there are trying to determine why and a lot of ideas are being kicked around.

At least six Oklahoma counties reported apparent decreases in Negro pupils attending integrated schools. Some comparisons in individual systems—42 to 38, 72 to 55, 82 to 51.

One reason suggested for consideration by William H. Hale, apparently a Negro and president of an all-Negro college, is that fewer Negroes in that state are currently finishing high school. He says he has no figures to back that up but it is his "feeling."

Harly M. Day, principal of a mixed school, noting a drop in his Negro enrollment, said "I'm guessing that our white high school won't hold the Negroes as well as the Negro school did." He means that keeping some Negroes in schools will be tougher—and it is fact, of course, that Negro drop-outs are generally higher than whites.

Day also said that the work of numbers of Negro pupils shows that they're not doing as well as they did in their own schools. He says he'd hesitate to say the drop-outs were because of tougher competition—a statement, we suppose, he felt he had to throw in—but he does note that there must be a "psychological block as well as the fact they're not as well prepared."

The Supreme Court should take note of that "psychological block." Didn't the high court put it the other way around—that the "block" was in going to unmixed schools?

Hale, the Negro college president, seems genuinely alarmed. "It's my idea," he said, "that if we keep on the way we're going we'll reach the point where there will be no Negroes graduating from high school. While he approves desegregation he candidly states that "it has not worked well, in my opinion, from the standpoint of more Negroes being educated."

Such opinions ought to be of general interest, especially as they apply to an Oklahoma situation, where the "going" should be much easier than it would be for Negroes in Deep South states.

# 5 foster children barred from class

The Afro-American
Baltimore Md

DOUGLASS TOWNSHIP, Pa. —Five foster children have been offered the "sympathy" of the school board here, but refused admittance to the elementary school. 10-8-60

The school board, with the approval of the Berks County superintendent of schools, contends that the elementary school is "overcrowded," and its "prime obligation is to the bonafide residents."

The board has taken the position that the children, placed with foster families, are not legal residents because the foster families are being paid for the care of the children.

* * *

**THE BERKS** County Children's Aid Society, which placed the children with the two families, contends that the children are legal residents and has appealed the decision to the State Department of Public Instruction.

H. M. Koch of Reading, attorney for the aid society, declined to say whether he would take the case to court if the appeal to the state is turned down.

But indications that such actions will be taken were given by Charles Prince, president of the Pottstown NAACP chapter.

"We have turned the case over to our legal redress committee for study and recommendations," Prince explained, "and we have no intentions of dropping this case before the children are admitted to the school."

* * *

**THE ALTERNATIVE** to allowing the youngsters to enter the Pine Forge Elementary school is to take them from their foster parents and place them in homes where they can be admitted to a school.

A state official however, expressed hope that this won't be necessary. Dr. Ralph Swan, assistant superintendent of the State Department of Education noted that "the children seem to be well adjusted in their present homes."

"We certainly hope the children won't have to be taken from their homes. We know it will be a wrench on both sides —the childrens and the parents," he concluded.

* * *

**THE CHILDREN,** ranging in ages from five to eight, have been with their foster parents from one month to more than two years. Two of the children attended the school last year before conditions suddenly became "too overcrowded." They are:

Clementine, 5, Claude, 6, and Charry, 7, foster children of Mr. and Mrs. Samuel E. Darby; and Maria Cash, 6, and Richard Jenkins, 8, foster children of Mr. and Mrs. Edward L. Hague.

Darby is head of the science department of Owen J. Roberts Joint Junior - Senior High school at nearby Bucktown. Like Hague, a concrete company employee, he is tutoring the youngsters at home.

The board first made known its decision to bar the children during the summer. The ban would not only apply to the three youngest children, who would enter first grade, but to eight - year - old Richard, who attended third grade last year, and seven - year - old Charry, a first grade pupil last year, the board explained.

* * *

**THE DECISION** was reaffirmed Wednesday night despite public protest that has resulted in a mounting mail campaign to board members and the school administration. In a statement, the board explained:

"While the board is sympathetic to the cause of these children, it feels that its prime obligation is the bonafide residents and taxpayers of the district. The board sincerely hopes that the children can be placed in some district where classroom facilities are adequate to accommodate them."

The appeal by the aid society was announced following the Wednesday night meeting. It is expected to be delivered to the State Superintendent of Schools, Dr. Charles Boehm in Harrisburg early this week.

## Five Barred From School

The Pittsburgh Courier

# Pottstown Foster Kids Await Study by State

Pittsburgh Pa.
Dat. 10-22-60 P. 8

(Special to The Courier)

POTTSTOWN, Pa.—The Pennsylvania Superintendent of Public Instruction has promised a decision within 10 days on an appeal filed in behalf of five foster children refused admittance to a Berks County elementary school for alleged "overcrowded conditions."

Dr. Charles Boehm told The Courier that the decision will be made as soon as his office studies the overcrowded conditions claim made by the Douglass Township School Board.

**"This should be completed within 10 days," he noted, "and a decision will be handed down immediately. It isn't fair to allow the children to remain out of school for so long."**

The five youngsters, who range in age from 5 to 8 years, have been refused admittance to the public school since the second week of September. Their foster parents, Mr. and Mrs. Samuel E. Darby, and Mr. and Mrs. Edward L. Hague have been tutoring the children at home.

■

**WEIGHING** heavily in his decision, Dr. Boehm said, will be a petition by the largest ministerial association in the area. The petition, by the Boyertown Area Ministerial Association, charges the school board with "not fully considering the moral issue involved."

The ministerial association counts in its membership the 18 largest white churches in the area. The petition was drawn up by a three-member committee headed by the Rev. Vernon Stoop Jr., a United Church of Christ pastor, who recently completed a series of 10 sermons on "Social Justice."

The ministers noted that "our primary concern is the dangerous precedent which this action may set in the state of Pennsylvania concerning the placement and education of foster children.

**"And we are concerned about the moral issue involved in this matter," the ministers continued, "namely the adverse effects that this action and precedent may have upon children, who, not by their own choice, are living in foster homes."**

"There is already a scarcity of suitable foster homes presenting a desirable environment for the raising of foster children. The action of the board may begin a trend that may further limit the foster home program.

"We are also concerned about the precedent this action may set concerning the education of children presently under the care of church-related and other private children's homes."

suitable foster homes were difficult to find and that refusal to admit the children would establish a dangerous precedent in future placement of orphans.

## SCHOOL BAN LIFTED ON FOSTER NEGROES

Phila. Inq.
11-6-60

BOYERTOWN, Pa. (RNS)—A decision by the Douglass Township School Board near here not to admit five foster Negro children to an elementary school, a decision strongly opposed by the Royedtown Council of Churches, has been overruled by the state superintendent of schools.

The children had been barred from Pine Forge Elementary School on the ground that they were non-residents and that the school was overcrowded. Racial discrimination was not raised as an issue by either of the parties involved in the case.

Dr. Charles H. Boehm, the state school head, ordered the children's admission to the school following an investigation by his deputy, Dr. Neal V. Musmanno.

The board had maintained that the youngsters were non-residents because their foster parents received compensation for their care.

This action by the educational officials was protested to the state superintendent by the church council which noted that

**BARRED FROM CLASS** — These foster children of Mr. and Mrs. Samuel E. Darby and Mr. and Mrs. Edward L. Hague have been offered the school board's "sympathy," but have been refused admission to Pine Forge Elementary School because of 'overcrowded" conditions. They are (l. to r.) Richard Jenkins, Maria Cash, Clementine Jones, Claudine Jones and Charry Jones.

14d(1) 1960

PENNSYLVANIA

# Intergroup Program Of Education Spurred On Broad Front Here

The Board of Education Saturday announced the intensification of its intergroup education program in Philadelphia public schools. In a 13-page report, Dr. Allen H. Wetter, superintendent of schools, outlined the history of the program. A nine-page subsection deals with activities in the field for the current school year.

**IMPETUS LAST JULY**

The survey brings up to date the race relations program which was given impetus last July with a board resolution pledging to "continue" education against discrimination in all its forms.

The arsenal in the schools' war against prejudice is impressive:

More than 120 teachers have been added to the city's secondary school staffs. At the elementary level, there are 135 counseling teachers, another 164 at the secondary level. Reading clinics have been augmented and special classes are held for the physically handicapped.

**5-WEEK SEMINAR**

To be conducted this summer is the sixth five-week seminar on human relations, to provide teachers with practical suggestions for meeting intergroup problems.

The Philadelphia Fellowship Commission, in conjunction with the public schools, conducts an elaborate variety of seminars and programs, dealing with childhood relations, intercultural leadership, administrative problems and traveling libraries, among other subjects.

The National Conference of Christians and Jews provides teacher scholarships for summer workshops at Pennsylvania State University, Rutgers and other colleges. Other intergroup agencies also are active in the field.

**SEARCH FOR TALENT**

At William Penn High School, an effort is being made to discover talent in a program directed at culturally deprived girls. The School-Community Coordinating Team works among similar pupils under a Ford Foundation grant.

In addition, curriculum committees survey study courses and 32 textbook committees select books.

The Schools Committee for Human Relations is making special studies of aid to migrant newcomers as well as other techniques for dealing with changing community problems. And a special coordinator in the field works with intergroup agencies such as the Anti-Defamation League, the NAACP and Fellowship Commission.

## In Delaware—

# Court orders total mixing for schools

PHILADELPHIA, July 19—(AP)—The U. S. Circuit Court of Appeals today struck down Delaware's grade-a-year school desegregation plan and ordered full integration of the state's public schools to begin in the Fall of 1961.

**The appellate court for the Third Circuit also directed that 20 Negro students who had attacked the gradual desegregation plan should be admitted to Delaware public schools this Fall.**

In so doing, the court upheld an appeal by Louis L. Redding, Wilmington, Del., attorney for the children who contended segregation of the races is illegal and that the plan for total integration by 1972 did not comply with a U. S. Supreme Court ruling.

THE DELAWARE Board of Education's grade-a-year plan went into effect last September with the approval of U. S. District Judge Paul Leahy.

Chief Judge John Biggs Jr., writing the majority opinion for the three-judge court, said Leahy's decision did not conform to rulings of the Circuit Court or the Supreme Court. Today's decision was by a 2-1 vote.

**Last year, 20 Negro pupils were admitted to first grade classes in Delaware's school system. This Fall, under the plan struck down today, Negroes would have reached the second grade. By 1972, Negroes would have been seated in all 12 grades.**

Redding contended that none of the pupils he represented—there were 42 originally—would ever be integrated since all were above the first grade level when the plan went into effect.

JUDGE HERBERT P. Goodrich dissented. He wrote that "it seems to me that in view of the local (Delaware) social inertia against any plan at all that the one submitted and approved is as good as we can expect in view of the obstacles to be overcome in making it work."

**Judge Biggs said that by figures submitted by the State of Delaware there were approximately 1000 Negroes now eligible for desegregation in the first grade, but only 25 applied for admission. He said "even if this number be trebled the number of Negro children involved if desegregation took place through Grades 1 to 12 would barely exceed 500.**

There are some 77,000 public school pupils in Delaware and nearly 36,000, or about 46 per cent, attend integrated schools. There are, according to court records, some 7000 Negro pupils eligible for desegregation in all 12 grades.

**BARRED**—These five Negro children are barred from classes at Pine Forge Elementary School, Douglass Township (near Pottstown, Pa.) because of what school officials termed "overcrowded conditions." Left to right, Richard Jenkins, Maria Cash, Clementine Jones, Claudine Jones and Cherry Jones.

**INELIGIBLE?**—These Negroes in New Rochelle, N.Y., are being told by Principal Dr. Barbara Mason (behind counter), herself a Negro, that they are ineligible to attend all-white North Avenue Elementary School because their homes are in a different school district. Atty. Paul Zuber, left, represented the group.

# Ban Negro Children From School in Pa.

The Pittsburgh Courier
Pittsburgh, Pa.

(Special to The Courier)

DOUGLASS TOWNSHIP, Pa.—Five foster children placed with families here have been refused admittance to the public school because of "overcrowded conditions."

The children, ranging in age from 5 to 8, were placed with two foster families by the Berks County Children's Aid Society during the past two years. Two of the children attended the elementary school last year.

The school board first banned the children just prior to the start of school and reaffirmed it at a special meeting at which it expressed sympathy for the children, but noted:

**"While the board is sympathetic to the cause of the children, it feels that its prime obligation is to the bona fide residents and taxpayers of the district."**

The board contends, with the approval of William B. Herbein, Berks County superintendent of schools, that since the foster parents are being paid to keep the children, they are not "bona fide residents of the district."

■

**THE CHILDREN** were placed with the families by the Berks County Children's Aid Society. They are Clementine, 5; Claudine, 6, and Cherry, 7, foster children of Mr. and Mrs. Samuel E. Darby, and Maria Cash, 6, and Richard Jenkins, 8, foster children of Mr. and Mrs. Edward L. Hague.

Darby is head of the science department at nearby Owen J. Roberts Joint Junior-Senior High School. Hauge is an employe of a concrete company.

H. M. Koch of Reading, attorney for the Children's Aid Society, will appeal the board's decision to the State Department of Public Instruction. He declined to say whether he would take the case to court if the appeal is turned down.

■

**THE POTTSTOWN CHAPTER** of the NAACP has started a full scale investigation of the matter, and indications are that the parents might seek legal aid from the American Civil Liberties Union.

Meanwhile, the five youngsters are being tutored at home by their foster parents. "But that's no way to teach children," Mrs. Darby noted unhappily.

14d(1) 1960 SCHOOL BILL

# South Aims Fire at School Bill Race Clause

WASHINGTON – (UPI) — Southern Senators served notice Friday that they will try to knock an anti-segregation amendment out of the $1,300,000,000 school construction bill passed by the House.

Sen. Lister Hill (D., Ala.), chairman of the Senate Labor and Public Welfare Committee, said he and other Southerners were "unalterably and unequivocally" opposed to the integration amendment sponsored in the House by Negro Rep. Adam Clayton Powell (D., N.Y.).

**Hill and others, including Senate Democratic Whip Mike Mansfield of Montana and GOP Whip Thomas H. Kuchel of California, agreed that a House - Senate Conference Committee would be asked to resolve differences between the House bill and a $1,833,000,000 Senate-passed bill.**

This strategy would avoid a Senate floor fight, and possible Southern filibuster, against the House amendment barring funds for segregated schools. But it also could mean new dangers for the bill.

The conservative - dominated House Rules Committee may decide to block any House request for a conference committee because of the higher price tag on the Senate bill, plus its provision for federal aid for teachers salaries.

The House bill, passed Thursday night, would provide grants to the states of $325,000,000 a year for four years for public school construction.

**If the bill is permitted to go to conference, however, it is conceivable that both the anti - segregation amendment and the aid-for-teachers proposals would be dropped.**

Meantime, the National Catholic Welfare Conference expressed "great disappointment" at the failure of the House to include loans for construction of private and parochial schools in its bill.

Bishop Lawrence J. Shehan, of Bridgeport, Conn. episcopal chairman of the conference's education department, said in a statement, "if Congress is going to involve the federal government in education, ther it should do so in conformity with the dictates of justice."

# Negro School Population

The News & Courier, Charleston, S. C., Thurs. 6/9/60 P. 1-B

# Hits 70% Of City Total

By BILLY BOWLES
News & Courier Staff Writer

Negroes constitute 70 per cent of enrollment in city schools, figures released yesterday by the city school board reveal.

The board, at its regular monthly meeting, also announced the renaming of East Bay Elementary School after two Negroes. Effective at the beginning of the September school term, the school will be named the Sanders-Clyde Elementary School.

The enrollment figures of the final 1959-60 report show that of 12,561 students enrolled in Charleston schools, 8,806 are Negro. This represents an increase of 246 Negro students over last year. Enrollment of Caucasian students dipped from 3,950 in 1959 to 3,755 this June. Negroes made up 69 per cent of city school enrollment last year.

A comparison of high school versus elementary school enrollments is significant. Among Negroes, the amount of increase is about the same in high and elementary schools. Burke High, the only Negro high school in the city, registered a rise of 130 students over last June, to 1,783. The eight Negro elementary schools gained 116 pupils over last year.

Among white schools, however, the elementary grades lost almost triple the number of pupils as did high schools. The three white high schools in the city dropped from an enrollment of 1,582 last year to 1,528 when schools closed last week — a loss of 54 students. White elementary schools lost 141 pupils, to a closing enrollment this year of 2,227.

The renaming of the East Bay School gives Charleston its first school named for Negroes. The school will be named in honor of Florence A. Clyde, teacher at Avery Normal Institute for more than 45 years, and the late Ellen Elizabeth Sanders, one of the first Negro teachers in city schools, at Buist Elementary School.

The school board also agreed yesterday to permit use of a piece of its property, bordered by Peachtree, Poplar and Hester Streets and Clemson Drive, as a city playground for white children. Mayor J. Palmer Gaillard attended the meeting to get approval for the city to make use of the property.

The school board purchased the 3.31-acre tract of land in 1956 as a possible site for a school. However, the land has never been used by city schools.

Arrangements for leased of the property will be discussed by attorneys of the school board and the city. Also to be decided is the amount of the property — perhaps all of it — to be converted to use as a playground.

# Popularity Of Private Schools Continues To Show Growth

The News & Courier Charleston, S.C.

Fri 8-19-60

By BILLY E. BOWLES
News and Courier Staff Writer

In greater and greater numbers, parents are withdrawing their children from public schools and breaking out the checkbook to pay for private instruction.

Some do it because private school education has become like ownership of a sportscar, a status symbol. But when asked, the parents give other reasons.

Said a Charleston area mother of four, who works in order to send her children to a private school:

"I do it because I feel they don't receive the challenge they should get from public school classes. The classes are to large, and in cases in which the children aren't grouped according to ability, the bright ones, and slow ones are left out."

Another mother disliked what she saw on a visit to her daughter's first grade class at a Charleston public school:

"It took a great deal of the teacher's time," she said, "just to maintain discipline. And that's a waste of time; I don't see how they could get as much work as they needed in such an environment. Those children of highest intelligence were really lost."

The main complaints with public schools, however, were "too little work" and "too big classes."

"My children had 45 children in their classes at public school," said a mother. "In the private school they are in classes of 12 each."

Not all the parents are completely sold on private schools, though all those contacted thought the advantages outweighed the disadvantages.

Said one parent: "I realize that the private school child misses the chance of learning to get along with everyone. Some of them are even growing into little snobs But you can't learn anything in a class of 42 students."

# City Schools Announce Dates For Registration

The News & Courier Charleston, S.C.

New elementary pupils and high school students other than eighth graders both Negro and white will register in city schools on Aug. 29, 30 and 31 and Sept. 1 and 2, between the hours of 9 a.m. and 1 p.m.

New white elementary pupils and pupils who have to take re-examinations and placement examinations should report to their respective schools Wednesday, Sept. 7, at 9 a.m. Negro elementary pupils who have to take re-examinations and placement examinations report on Tuesday, Sept. 6 at 9 a.m. Only one day will be devoted the administration of re-examination and placement examinations.

Negro first grade children should report at 10 a.m. on Tuesday, Sept 6, for assignment to classes.

White students who have been promoted to the eighth grade from city elementary school report Wednesday, Sept. 7, at 8:30 a.m. Negro students promoted to the eighth grade from the city elementary schools report to Simonton School on Tuesday, Sept. 6, at 9 a.m.

Students promoted to the ninth grade at Burke High report Tuesday, Sept. 6, at 10:00 a.m.

White high school students who have to take examinations should report on Wednesday, Sept. 7, at 9 a.m. Negro high school students who have to take examinations report to Burke on Tuesday, Sept. 6, at 9 a.m.

New students properly enrolled and former students of the elementary and high schools report on Thursday, Sept. 8, at 8:40 a.m.

# Boycotting ends, Negroes return

The Birmingham News Birmingham, Ala.

CHARLESTON, S. C., Oct. 14— (AP)—Negro pupils returned to classes yesterday, ending a one-day boycott to protest what their parents called overcrowded schools.

Parents of the school district's more than 9000 Negro pupils, meanwhile, made plans to seek transfer for many to all-white schools. All schools in South Carolina are segregated.

The prospects that any of the Negroes would be transferred appeared unlikely. Three Negro children sought admission to two white schools Tuesday but were told that the deadline for filing transfers had passed.

# Negro Pupils Return To Classrooms

The News & Courier Charleston, S.C.

The city's Negro pupils returned to school yesterday after a one-day boycott in protest against crowded classrooms.

City School Supt. Thomas A. Carrere said yesterday that attendance was "normal" at Negro schools, with approximately 87 per cent of the pupils enrolled on hand for classes. Wednesday, more than 94 per cent of the Negro pupils stayed home.

The Negro Council of Parent-Teachers Assn. initiated the boycott after being refused a request for a white grammar or high school, or both. Three Negro children also attempted to enroll in Charleston schools Monday, but were refused admission.

The Negroes' protests over crowded school conditions came to light last month when the PTA Council published in the newspapers an open letter to the Dist. 20 school board. In it, they listed their grievances, stressing mainly the crowded conditions.

In the school board's reply, it revealed that active plans are under way for a new Negro high school. Shortly thereafter, the board let a contract for construction of additional classrooms at Courtenay Elementary School.

Requesting more immediate action, the PTA Council asked that Rivers High School or Mitchell Elementary School be made available for use by Negroes.

The PTA Council held a meeting Wednesday night that was attended by 4,000 parents. At that time, a resolution was adopted urging parents to seek enrollment of their children in schools near their homes.

Charles A. Brown, chairman of the Dist. 20 school board, declined to comment yesterday on the PTA group's resolution.

# Negro Students Go To School In County Today

The 1960-61 school year begins today for Negroes attending Charleston County schools.

Classes, however, won't start until tomorrow. Students will register today.

County schools opening tomorrow are:

St. James Santee School District 1: Lincoln High, Lincoln Elementary and Santee Elementaary, all in McClellanville and Porcher Elementary in Awendaw.

Moultrie School District 2: Laing Elementary, Laing High School and Jennie Moore Elementary, all in Mount Pleasant.

James Island School District 3: W. Gresham Meggett Elementary, W. Gresham Meggett High School, Murray-LaSaine Elementary and King's Highway Elementary.

Cooper River School District 4: Bonds-Wilson High School, Jenkins Elementary, Mary Ford Elementary and Liberty Hill Elementary, all in Charleston Heights, and Bethune Elementary, Daniel Jenkins Elementary and Lincolnville Elementary, all in North Charleston.

St. John's School District A: Haut Gap High School, Haut Gap Elementary and Mt. Zion Elementary, all on John's Island, and Rockville Elementary on Wadmalaw Island.

St. Andrew's Parish School District 10: Wallace Elementary and Wallace High School.

St. Paul's School District 23: Baptist Hill High and Baptist Hill Elementary, both on Yonges Island; Jane Edwards Elementary on Edisto Island, Miley Hill Elementary at Ravenel, and Minnie Hughes Elementary on Yonges Island.

# Integration Suit Filed In Marion

MARION (AP) — Fourteen Negro parents have filed suit charging racial discrimination on the part of school officials in lower Marion County.

The suit follows two others which seek integration of schools in South Carolina. The latest suit was filed in Federal District Court at Florence against the Marion County Board of Education, the local school district board and the district superintendent of education.

The suit asks that a division of the district by the county board be invalidated.

The parents claim the district was divided in such a way that they are left with inadequate schools at their disposal.

**TRANSFER POLICY**

They complain that white pupils are permitted to transfer to other schools, but Negro pupils are not allowed to do so.

The case appears to be aimed against a State Supreme Court finding that the county may arrange its school districts as it pleases on the vote of the legislative delegation without a public referendum.

The district which figures in the case is Marion No. 3. It was divided into Britton's Neck No. 4 and Lower Marion No. 3.

Attorney for the Negro parents is Elliott D. Turnage of Darlington.

The other two integration suits are from the Summerton District in Clarendon County. One was among the original cases on which the U.S. Supreme Court based its 1954 integration decision.

The other was filed several months ago, but has not yet been heard.

The original Summerton case is in the hands of a special three-judge federal district court panel, which is supervising the district's school integration.

Several years ago, the court ordered the district to make integration plans and report. No such plans have been made or called for in the interim.

**SURPRISE EXPRESSED**

State Sen. Ralph Gasque of Marion County and James A. Dozier, a member of the County Board of Education both expressed surprise at the latest suit.

"I don't think it represents the thinking of most of the colored population in the county," remarked Gasque.

To charges in the suit that Negro schools are inadequate, Dozier pointed out that the most recently built high school in Britton's Neck was one for Negroes.

# Cooper River Negro School Enrollment Up

Opening day enrollment figures in the Cooper River District Negro schools show a marked increase over correspondent enrollment figures last year.

"The present enrollment figure of 4,753 pupils entered in six elementary schools and one high school represents an increase of 357 students over last year," said Gordon H. Garrett, district superintendent.

He added that it still might be too early to evaluate the enrollment figures with complete accuracy.

Last year the opening enrollment in the District 4 Negro schools was 4,396.

School attendance increased last year as the term progressed, Mr. Garrett pointed out, with 5,000 Negro students being enrolled when schools closed in May.

# Negro Students Stage Protest

Some 280 gleefully obliging pupils at Courtenay Negro Elementary School carried out the protest instructions of their parents yesterday and took a holiday.

The pupils participating in the boycott ordinarily attend the third session of classes each day at Courtenay, beginning at 12:30 p.m. But acting on the instructions of the Negro Council of Parent - Teachers Assn., some 250 of them showed up for school at 8:30 a.m. That was the regular time for starting all classes at Courtenay before triple sessions were inaugurated this year.

After being ordered by thier principal to go home and return at the regular time, the pupils carried out only half the instructions. They filed compliantly out of the auditorium where Principal Holland W. Daniels had addressed them, but they did not return at 12:30. Neither did about 30 other pupils who are enrolled in third session classes but who did not participate in the morning protest.

The Courtenay pupils have been asked to stay home again today, as have all other Negroes enrolled in city schools.

**PLANNED BY PTA**

The boycott yesterday and one planned for today climax protest action begun by the PTA group in September, 1959. The group, headed by President Rufus Dilligard, wrote to the Dist. 20 school board at that time, complaining, among other things about crowded conditions in Negro schools.

The group submitted a more detailed list of grievances to the board on Jan. 11 this year. But the matter was not made public until Sept. 21.

Charles A. Brown, chairman of the Dist. 20 school board, failed to satisfy the group with his reply, in which he said that planning for a new Negro high school is under way. The PTA council asked that Rivers High School or Mitchell Elementary School — or both — be made available for Negroes. They were refused, and the boycotts were ordered.

**BOARD TO DECIDE**

Thomas A. Carrere, Dist. 20 schools superintendent, said yesterday that any decision as to disciplinary action against the students would be a matter for the school board to decide. He said those staying out of school will be counted absent.

School Board Chairman Charles A. Brown said he had not had an opportunity to discuss the situation with Mr. Carrere or with any members of his board. Any decision about disciplining the children, he also said, would be left to the board.

He said he had just returned from a trip to New York and that when he left he "didn't know of any action contemplated by the board" as a result of the boycott, which had already been threatened.

**250 ARRIVE EARLY**

Mr. Carrere said the normal attendance at the afternoon classes at Courtenay is 280. Thus, approximately 89 per cent of the third session pupils arrived early for school yesterday.

The 250 early arrivals were herded into the school auditorium —which also serves as a cafeteria —as soon at the bell rang starting morning classes.

Speaking sternly, Principal Daniels addressed the assembly: "I don't know if you realize the situation as it is or not. The classrooms are occupied at this time. More than anything else we would like to have accommodations for you, but because of our limited facilities, we do not have the classrooms or space for you. There is but one logical thng we can do this morning, and that is to ask you to return quietly to your homes."

The PTA groups of all Negro schools in Dist. 20 will hold a joint meeting at 8 p.m. today at the Emanuel AME Church.

Led To 1954 Decision

# Summerton Again Seeks Schools

SUMMERTON, S. C. — (ANP) — Here is an indication of how fast implementation of the 1954 Supreme Court decision outlawing jim crow in public schools is progressing.

One of the cases upon which Supreme Court decision was based originated in this city.

Today the schools here are still not integrated, so Negro parents last week went back to court again — still trying to get their children into schools with whites.

**15 PARENTS FILE SUIT**

Charges against the school district in which South Carolina's integration fight began more than six years ago were brought by 15 Negro parents on behalf their children.

They ask an injunction against biracial schools or a dual school system, against assigning pupils "on the basis of race and color" and against subjection of Negro children who seek assignment "to criteria or requirements not required of white children."

As alternative the parents ask for a complete plan for reorganization of the school system of the county on a "unitary, non-racial basis eliminating any discriminations

**FOUR LAWYERS REPRESENT PARENTS**

Four attorneys filed the suit in the office of Ernest F. Allen, federal clerk of court of the eastern district of South Carolina.

They are Lincoln C. Jenkins of Columbia, Matthew J. Perry of Spartanburg and Thurgood Marshall, general counsel for the National Association for the Advancement of Colored People, and Jack Greenberg, both of New York City.

Named as defendants in the 8-page complaint are the board of trustees of Summerton (Clarendon District No. 1); L. B. McCord, county superintendent of education; C. E. Buttes, district superintendent of education; W. C. Sprott, chairman of the board of trustees; C. E. Plowden, W. A. Brunson, J. W. Sconyers and L. Richardson, members of the boar of trustees.

# Negro Parents Meet Friday To Discuss School Protest

By JOHN H. MOYE
News and Courier Staff Writer

Parents of Negro pupils in the city school system will meet Friday to decide whether or not to carry out a planned protest against crowded school conditions.

An answer to an open letter from the Council of Parent-Teach- Assn., has been promised by the District 20 School Board, however.

At a meeting of the PTA Council's special committee on schools last night, a meeting for Friday at 11:30 a.m. was set to make a decision on whether or not they would carry out a plan as outlined in an open letter Sept. 21.

The open letter asked some answer to their request that the Negro schools be improved or the students be reassigned. Rufus Dilligard, president of the PTA council, said no answer had been received.

Charles A. Brown, chairman of the District 20 Board of Trustees, said last night an answer to the council's open letter was "being drafted" and "I expect they will get it by Friday."

Mr. Brown, however, said he could not discuss the contents of the letter at this time.

The Negro PTA council's special committee issued a statement last night, taking issue with a News and Courier editorial and expressing feelings that "Negro parents have been patient too long" with respect to improvement of their schools.

The statement said if their plan to "send all children to Courtenay at 8:30 a.m. next Tuesday, hold all of them out on Wednesday and call another PTA meeting Wednesday night" would wreck the entire system . . . the responsibility is on the school board and not on this or any other action of Negro patrons."

The committee said is had been prepared to go ahead with the protest this week but withheld its action on the strength of a promise of some action by Thomas A. Carrere, superintendent of city schools. "This letter has not been received by the PTA Council as yet and it is now seven days since the conversation with Mr. Carrere Sept. 29," the statement said.

The committee cited a record of correspondence with the city school board dating to September of 1959 complaining about Negro school conditions. The committee said a "detailed inspection of all Negro schools was made and a report compiled and forwarded to the school board."

The committee charged that, despite a meeting with school board trustees "at which they promised that very concrete action would be started soon," nothing had been done.

The school board has consistently declined comment on the question of the letter and announced plans of the Negro parents.

# School Projects Get $561,947

COLUMBIA (AP) — The State Educational Finance Commission sent state aid for school construction since 1952 to $202,723,324 Thursday by allocating $561,947 for school projects.

The commission handles the dispensing of money raised by the sales tax for school construction.

Allotments, most for improvements to existing schools:

Aiken County — Millbrook, Kenner schools $43,259; Bath grammar schools $43,259; Bath Grammar School $1,565; Sleepy Hollow Negro grammar school $1,789; Central Negro Grammar School $1,884; and Millbrook white grammar school $95,875 for five new classrooms and other additions.

Beaufort County — Beaufort white grammar school $27,000 for a site for a new school.

Charleston County — Moultrie School District, Mt. Pleasant (white) Academy $4,998; Laing Negro high school $24,815 for four more classrooms.

St. John's District, St. John's white high school $6,012.

Cherokee County — Blacksburg white high school $45,488 for three new classrooms and other additions.

Dorchester County — Summerville, Alston Negro school $701.

Edgefield County — Edgefield-Johnston - Trenton consolidated senior white high school $213,831 for a new building of 12 classrooms, library, laboratory, cafeteria, gymnasium and other facilities.

Lexington County — West Columbia, Airport Senior (White) High School $94,731 toward a 17-classroom construction project, plus other facilities.

# Charleston Parents Press For Transfer Of Pupils

CHARLESTON, S. C., Nov. 3— Eleven Negro parents filed appeal petitions here this week, seeking transfers of their children to white schools.

The parents, whose previous applications were rejected by their district board of trustees, have directed their new appeal to the county superintendent of education as well as the chairman and members of the county board of education.

J. Arthur Brown, president of the South Carolina NAACP State Conference of Branches and Rev. B. J. Glover, president of the local NAACP unit, are among petitioners.

# Negroes Denied School Transfer

The News + Courier
Charleston, S.C.
Tues. 10-11-60

Negro children attempted to enroll at two white city schools yesterday but were refused admission.

At one school, the High School of Charleston, a 12th grader and a ninth grader sought entry as transfer students from Burke High School. One of them, 12th grader Minerva T. Brown, is a daughter of J. Arthur Brown, president of the S. C. Chapter of the National Assn. for the Advancement of Colored People. Ralph S. Dawson, son of F. D. Dawson of 141-A Coming St., also attempted to transfer to Charleston High.

Attempting to enroll at Julian Mitchell Elementary School was first grader Oveta Glover, whose father, Rev. B. J. Glover, is also an NAACP leader. He is president of the Charleston chapter. Rev. Glover, who is also pastor of the Emanuel AME Church, lives at 529 Rutledge Ave.

**PAST DEADLINE**

Thomas A. Carrere, superintendent of city schools (Dist. 20), said the children attempting to enroll at the high school were told that time for transferring from one school to another has past. The school board, he said, has already organized the school year for operation.

The groups left after being told this, Mr. Carrere said.

The Glover child, her father said, obtained a transfer from the A. Burnet Rhett Elementary School, though the name of the school to which she was to transfer was omitted from the certificate. Rev. Glover said he was told that the transfer would not be accepted unless approved by the school board.

Yesterday afternoon, Negro adults passed out handbills to pupils leaving the Courtenay Elementary School on Meeting Street. The handbills urged parents of Courtenay pupils to send their children to school at 8:30 a.m. today.

Classes there are now being held in double session, with the hours for the first session staggered to begin at classes at 8:30 a. m. and 9:30 a. m. The second session beings at noon.

**BOYCOTT ASKED**

Parents of all Negro school children in the city were urged in the pamphlet to withhold the children from school tomorrow.

The boycott was threatened in an "open letter" to the Dist. 20 school board.

Mr. Carrere announced just yesterday that a contract has been let for construction of a 12-classroom addition to Courtenay, the work to begin immediately. The $142,000 addition will be built by Canady Construction Co. of Charleston.

# Negro Council's Letter Answered

The News + Courier
Charleston, S.C.
10-9-60

Following is the text of the reply of the Board of Trustees for City of Charleston School District 20, to the Negro Council of Parents and Teachers.

The letter was signed by Charles A. Brown, board chairman, and is quoted in full with the exception of introductory and closing paragraphs.

"The Board is entirely aware of the need for capital improvements to the School System. However, there are financial limitations upon what can be accomplished. While the Board is constantly studying the need for new capital outlays, it does not feel that the record of the last few years should be overlooked. Since 1953 the School District has been granted sums slightly in excess of $4,000,000 from sales tax distributions for the purpose of capital improvements. Of this sum $3,192,000 were expended on land, buildings and equipment for Negro schools. Only $849,000 were spent on White schools. In addition, during the last decade or so substantial expenditures have been made on repairs, renovating and new equipment for Negro schools out of the proceeds of ad valorem taxes levied and paid for by taxpayers of the School District.

"In an effort to avoid overcrowding, the Board undertook to provide additional facilities at Courtenay School this summer, but because of certain restrictive conditions relating to school building, imposed by the State Educational Finance Commission, these additions could not be completed prior to the opening of school in September. It is now believed that these facilities will be ready for use at or near the semester break in February of 1961. The Board feels that these additional facilities are necessary at Courtenay School particularly in view of the fact that non-classroom spaces are now being used for classes.

"The board has long been aware of the need for another Negro high school. Planning for a new Negro high school is now actively underway. So important a capital outlay as this, cannot be casually undertaken. And no determination of the location of such a school should be made until the State Highway Department's plans for cross-town express arteries have finalized.

"Finally, and for the record, we wish to refute categorically your assertion that there have been instances of 'wanton firing of school employees without reasonable cause.' Furthermore, the Board has always undertaken to employ the best qualified teachers available within the budget limitations. For your information, 61 per cent of our Negro teachers have more than eleven years teaching experience. Fifty per cent of our Negro high school teachers have Master's Degrees. Thirty-six per cent of our Negro elementary teachers have Master's Degrees. This should be compared with the State average. This shows that only 22 per cent of all negro high school teachers have Master's Degrees, while only 12 per cent of all Negro elementary teachers have Master's Degrees."

Protest Move

# Negroes Plan School Boycott

The chairman of the Charleston City School Board said yesterday that plans to build a new Negro high school are "actively under way." The announcement followed demands by parents of Negro school children to relieve crowded school conditions.

The Negroes nevertheless plan to carry out a boycott of schools by Negro pupils Wednesday.

In an "open letter" to the school board, published as a newspaper advertisement several days ago by the Council of Parent-Teachers Assn. the Negroes complained about over-crowding.

Herbert U. Fielding, chairman of a special school committee of the PTA Council, said promise of a new high school had been made to his group more than eight months ago.

Charles A. Brown, the school board chairman, was asked last night how far the plans for the high school have been carried. "I just don't feel like answering that question," he said.

Could he predict when the high school might be available to Negroes? Mr. Brown said, "No, I certainly could not."

The PTA's open letter, signed by Rufus Dilligard, president of the council, asked for reassignment of pupils in city schools. Dilligard also complained that Negro employes of the school district (No. 20) had been fired without cause.

In his reply, Chairman Brown said, in part:

"The board is entirely aware of the need for capital improvements in the school system. However, there are financial limitations upon what can be accomplished."

He said that since 1953, the school district had spent, from a fund derived from state sales tax, $3,192,000 on Negro schools.

"In addition," he said, "during the last decade or so substantial expenditures have been made on repairs, renovating and new equipment for Negro schools out of the proceeds of ad valorem taxes levied and paid for by taxpayers of the School District."

He said that "restrictive conditions relating to school building" have prevented construction of additions that are planned for Courtenay Elementary School, where Negro pupils now attend classes in triple sessions. Mr. Brown said the additions should be completed, however, "at or near the semester break in February of 1961."

On the subject of the proposed new high school, Mr. Brown wrote:

"The board has long been aware of the need for another Negro high school. Planning for a new Negro high school is now actively under way. So important a capital outlay as this cannot be casually undertaken. And no determination of the location of such a school should be made until the State Highway Department's plans for a cross-town express arteries have finalized."

The board chairman denied the PTA Council's charges of "wanton firing of school employees without reasonable cause."

The PTA schools committee met yesterday in Columbia, with Dr. E. R. Crow, director of the S. C. Education Finance Commission. No "definite commitments" were made, however, Chairman Fielding said last night. He said that Dr. Crow telephoned City School Supt. Thomas A. Carrere.

Fielding said he also called Mr. Carrere from Columbia, to ask that the district make available to Negroes Rivers High School or Mitchell Elementary School, or both.

"Mr. Carrere said,. . .that he would take the responsibility in stating that he felt certain that the board's reply to this would be in the negative .at this time," Fielding said.

School Board Chairman Brown was asked last night if Mr. Carrere had authority to speak for the board.

Said the chairman: "Mr. Carrere doesn't have the authority to speak in this instance for the board. Our letter is self-explanatory. I have nothing to add in this matter."

Asked for his own opinion about the request, Mr. Brown said: "The board has got to decide these matters. I can't decide for the board."

Fielding issued a statement last night giving the PTA Council's answer to Mr. Brown's letter.

"The School Board," he said, "might have been extremely diplomatic and wise in their answer to our open letter. . .This has not been the case; in fact, the letter from the Board evaded the issues entirely."

Fielding complained that Mr. Brown failed to reply to the request for reassignment of pupils. "And there are classrooms available," he said.

"In the interest of the parents and children of District 20 which we represent," Fielding continued, "and in the light of the letter from the School Board, we have no other alternative but to advise all parents to proceed with the plan of action as indicated in the open letter. . .This plan will start with Courtenay School on Tuesday morning Oct. 11, 1960, and climax at Emanuel AME church at 8 p.m. on Wednesday Oct. 12, 1960."

The plan, as previously stated by the council, is to send all Courtenay pupils to school at 8:30 a.m. Tuesday and to advise parents to withhold all Negro pupils enrolled in city schools Wednesday.

Fielding said last night that the period of boycott would be one of the matters to be discussed at the Wednesday night meeting.

# Transfers Asked For 5 Negro Pupils

Parents of five Negro students yesterday requested that their children be admitted to white schools in the city.

Thomas A. Carrere, superintendent of Charleston Dist. 20 schools, said he and all members of the school board received the requests by mail.

On Oct. 10, three Negro children appeared with their parents at two white schools, also seeking transfer. They were told the time for making transfer had passed and that they would not be able to change schools.

In the letters received by school officials yesterday, three students sought transfer from Burke High School to the High School of Charleston. One Burke student sought to transfer to Rivers High School. The fifth letter, from the parents of a Rhett Elementary School pupil, asked that their child be permitted to attend Mitchell Elementary School.

The requests all followed the same form, stating, "the said school is publicly owned and operated and we believe that under the Constitution and laws of the United States our child is entitled to attend said school."

The letters requested that reply be made within five days from date the letters were received.

Mr. Carrere was asked yesterday whether the school board would hold a special meeting to consider the requests.

"I don't know," he answered. "I haven't heard from Mr. Brown yet."

Charles A. Brown is chairman of the school board. Efforts to reach Mr. Brown by telephone were unsuccessful.

# Negroes Seek Transfer To White Schools

Parents of 10 Negro children have asked City of Charleston School District 20 to transfer their children to white elementary schools.

Five children attending Buist Elementary are seeking admission to Memminger Elementary. Five children, who attend Courtenay Elementary, are seeking admission to Mitchell Elementary.

Monday similar requests were received. Four Negro students from Burke High School asked transfers — three to the High School of Charleston and one to Rivers High. One student from Rhett Elementary School asked to enter Mitchell Elementary.

The district's school board has as yet made no announcement of is plan of action concerning these requests.

Charles A. Brown, chairman of the school board, said yesterday he was presently contacting the members of the board. He added that no date had been set for a meeting.

All requests have been worded the same way, saying "that the said school is publicly owned and operated and we believe that under the Constitution and laws of the United States our child is entitled to attend the said school."

# 5 Student Transfers Rejected

The city school board yesterday refused the requests of parents of five Negro students for admission to white schools.

Charles A. Brown, chairman of the board of trustees for School District 20, said: "We are writing the parents of these students a letter telling them that the time for transfers in our schools is past, and the board will have to deny their requests."

School officials received letters Monday requesting the transfer of three Burke High School students to the High School of Charleston, one Burke student to Rivers High School, and one Rhett Elementary School pupil to Mitchell Elementary School.

On Oct. 10, three Negro children appeared with their parents at two white schools, also seeking transfers. They were told the time for making transfers was past.

The requests written to the school board all followed the same form, stating: "The said school is publicly owned and operated and we believe that under the Constitution and laws of the United States, our child is entitled to attend said school."

The Negro PTA Council several weeks ago requested that Rivers High School or Mitchell Elementary School, or both, be made available for use by Negroes.

Commenting on this yesterday, Mr. Brown said: "We have had a committee studying this for many weeks, and we are now at the point where we are ready to have some representative from Dr. Crow's office in Columbia make a survey of the Charleston school situation in the very near future."

Dr. E. R. Crow is the director of the S. C. Education Finance Commission.

In their request for the two schools, the Negro Council cited "overcrowding" in Negro schools.

# Schools Register 50,085 Enrollment In County Hits All-Time High

County school enrollments are at an all-time high, Superintendent G. Creighton Frampton announced yesterday.

At the end of the first six weeks of school, Mr. Frampton said, 50,085 students were enrolled in the county's eight school districts. This is an increase of 2,678 over the same period last year. It is also well over double the 23,951 enrollment of 20 years ago.

All districts showed an increase, with Cooper River Dist. 4 the leader with an increase of 1,113 students. St. Andrew's Dist. 10 gained 602 students for the runner-up slot in enrollment growth.

**WHITE DECREASES**

Some of the districts showed a decrease, however, in white student enrollment. The city of Charleston (Dist. 20) has 125 fewer white students than for the corresponding period in 1959. St. Paul's Dist. 23 lost 17 white students, and St. James-Santee Dist. 1 had one less white student enrolled than a year ago.

But overall, the ratio of white students to Negro remained the same as in 1959: 52 per cent white and 48 per cent Negro. The city school population is 72 per cent Negro. However, St. Paul's is 78 per cent Negro, St. John's is 69 per cent Negro and St. James-Santee is 81 per cent Negro.

St. Andrew's schools registered the greatest percentage of white to Negro population: 80 per cent. Cooper River is 70 per cent white, James Island, 60 per cent and Moultrie, 54 per cent.

**FIGURES BROKEN DOWN**

A breakdown of enrollment figures by district follows:

St. James - Santee Dist.1—1,432 students, of which 1,160 are Negro.

Moultrie Dist. 2—4,066 students, 2,207 of them white.

James Island Dist. 3—3,585 enrollment, with 2,156 white.

Cooper River Dist. 4—16,702 students, of which 11,683 are white.

St. John's Dist. 9—2,765 students, 1,904 Negro.

St. Andrew's Dist. 10—5,828 students, 4,691 white.

City of Charlestn Dist. 20—12,143 enrollment, with 8,948 Negro.

St. Paul's Dist. 23—3,443 students, 2,670 of them Negro.

*In Clarendon County*

# South Carolina Negroes Fight Economic Reprisals

Pittsburgh Courier, Pittsburgh, Pa.
Sat. 7/30/60
P. 2

By JOHN H. McCRAY
(Special to The Courier)

SUMMERTON, S. C.—Clarendon County's Negroes, fighting for 14 fruitless years now to integrate public schools, are staving off a third round of economic pressure from whites, led by the well-oiled White Citizens Council.

The pressures are applied against parents and guardians of some 83 children, participants in a Federal court action now pending. At the same time, economic reprisals continue against most or nearly 200 others whose names are among plaintiffs who secured a desegregate "with all deliberate speed" Federal court order in 1955. Prior to 1955, the reprisals weren't as complete and organized; some of them had operated since 1946, the year the Clarendon School fight started.

1420

■

**TYPICAL** of the victims is William Ragin, a successful farmer who lives just outside of Summerton, to the west. Mr. Ragin had been hit in 1955 by local white firms operating under the Citizens Council formula for those Negroes wishing legal and civil rights.

**But a year or two ago, with whites feeling the pinch of lost trade, he was among several who apologized for having been "bad boys" in business, and invited back the trade they had shooed away.**

One such place was a filling station. Mr. Ragin bought his gas and oil here, and such other items as he needed on open account. He settled up promptly and in full once a month. After he petitioned the court to wipe out school segregation:

"The man waited good until I paid him up for the month to tell me I'd have to pay cash as long as my name stayed on that list," Mr. Ragin said.

■

**HARRY BRIGGS,** whose name leads the list of plaintiffs in the original Clarendon suit, has long since left Summerton. He's working now in Florida. The Summerton filling station, where he had worked for years, fired him immediately after he joined with other Negro parents in suing for integrated schools. His wife was also fired from her job at a motel.

■

**WHITES,** here and elsewhere in Clarendon County haven't stopped with just taking away from, and keeping out of, jobs those Negroes they suspected of favoring desegregation; they've used at least three other weapons.

(1.) They have maintained a campaign of terror and the feeling of insecurity which goes with having one's home or business shot into or mysteriously burned down at night. Homes of the now-fled Rev. J. A. DeLaine, of Rev. J. W. Seals, of Thelmer Bethune have all burned mysteriously at night.

**One morning Summerton residents awoke to find KKK handbills on their front porches. Mr. Bethune got KKK threats by mail.**

At Manning, 10 miles east of Summerton, the undertaking establishment of Billie S. Fleming, president now of the Manning NAACP chapter, was shot into several times at night by assailants whizzing by in cars.

(2.) Clarendon whites' second economic attack is that of cutting off credit in local stores and banks of Negroes susupected of favoring desegregation. The effect is a sort of "You can't work and you can't buy" policy, especially a hardship in a small rural county where farming and installment buying are the community's main life.

(3.) A third phase of the economic attack, quite intersting, is that Negro-owned business establishments, where the owners are also suspected or disliked by whites, are having deliveries of goods and stock [illegible]. As explained by one of the victims, Mrs. Mary C[illegible] who operates Oliver's Caf[illegible] how this reprisal is wo[illegible]

White salesmen, running pilot to deliverymen, are warned that should they sell or deliver goods to Negro business concerns "on the list," they would not be permitted to service white stores and establishments in town.

■

**A SYMPATHETIC** bread salesman suggested to Mrs. Oliver that she "go and take your name off the list. Then, I can serve you. It's not me; you've been a good customer for years." Angry tears coursing her cheeks, Mrs. Oliver told the man:

**"I'd never do it, I'd die like a hungry dog before I'd change one letter in what I signed."**

She and the several other establishments "on the list" have had to travel 23 miles to Sumter, 67 miles to Columbia, 33 miles to Kingstree, 50 miles to Orangeburg, and elsewhere to keep stock on hand. In isolated instances, they've worked out deals with white deliverymen, such as this one:

■

**MONEY** for the week's supply is left with a sympathetic person, who meets the deliveryman somewhere else and pays him. The goods are then dumped by the truck on a street and are picked up there immediately by the friend, who brings them to the store.

Summerton is supplied by jobbers with bases in the several cities and towns listed two paragraphs above. At one time, salesmen and deliverymen for the products listed below respected the "list of Negroes" whites wanted punished:

**Coca Cola, Pepsi Cola, Miller's High Life beer, Schlitz, Pabst, and in fact, all beer distilleries, Subeam bread, Paradise Ice Cream, Coble dairy products, Lay's Potato Chips and snacks, all meat packers, etc.**

**At Manning, one citizen, noting a recent visit into the county by FBI agents investigating voting rights, posed this question:**

"Why doesn't the Goverment check up on this economic pressure?

"There are hundreds of witnesses who are victims. Is it lawful to fire a man because he wants to have his full rights?

"Is it lawful to try to force a man to your way of thinking by conspiring to starve him to death, even if he has the money to live on?"

14d(1) 1960

SOUTH CAROLINA

# Problem Of City Schools

The News and Courier Charleston, S.C. 4-60

In rejecting a petition to halt construction of an addition to Courtenay School in midtown Charleston, Circuit Judge John Grimball has ruled that Negro petitioners have not exhausted administrative avenues to remedy their complaint. In other words, the court is unwilling to assume the duties of a school board.

This position is just and proper. Until it is proved that local school officials have failed in their obligations, higher authority should never take over. The turmoil in Southern schools today over constitutional issues is due to interference from courts and other branches of the federal government.

While the Charleston case does not involve integration, any litigation these days over Negro schools creates public apprehension. Because of public obligation to both races, we hope that the City School Board will soon find ways to meet its responsibility in difficult conditions now facing it.

The steady increase of Negro enrollment in city schools, without corresponding increase in available money is at the heart of the problem. Additional classroom space is necessary. The paradox of Negro parents trying to block an enlargement of Courtenay designed to serve Negro children only confuses the issue. Some of the demands made by the Council of Negro Parent-Teacher Associations in our judgment are justified.

An additional Negro high school to be located on the west side of town is among suggested needs. Such a project may cost $500,000. Where is the money to come from? Voters turned down a bond issue a few years ago.

Hard thinking will be necessary to solve this and other problems. Of one thing we are certain. The solution will not be found in attempts to force integration of white and Negro pupils. Even if Charleston were spared the civil strife of Little Rock, New Orleans and other Southern cities, the experience everywhere—both North and South—has been the same. White people move out rather than mix with massive Negro populations.

We believe that leaders of the Negro people in Charleston are aware of this fact. They stand to gain more for their children by cooperation than by antagonizing the white people. If they force white people to flee, sources of money for the education of their children will likewise disappear. Wrecking the public school system of any mixed community such as Charleston will do more harm in the long run to colored than to white people.

For this reason, we are glad that the court has given local school authorities the opportunity and the task of working out the problems which they are best equipped to handle. We urge the public, both white and colored, to exercise patience and good will in these matters of community concern.

What we have said here applies not only to Charleston, but to public schools elsewhere.

# Token Integration 'Delusion, Snare' Herbert Declares

The News and Courier
Charleston, S. C.
Dec. 2-9-60
P. 8.

By ELDRIDGE THOMPSON
News & Courier Roving Reporter

FLORENCE — "Token integration in the South is a delusion and a snare," R. Beverly Herbert of Columbia told members of Florence Rotary Club Monday.

"If we are forced to accept token integration, we must have the courage to tell the world we claim the same right that free people everywhere claim, and that is to run our own affairs," the Columbia attorney said. "This means we will close any public school the NAACP gets a court order to integrate."

Herbert, who recently published a report of his findings in Farmville, Va., where public schools have been closed, said, "We are fortunate in South Carolina in the fact that both our colored and white people understand we face a great race problem and that all good citizens of both races must conduct themselves so as not to bring about violence and lawlessness.

"By so doing white people show themselves worthy to be trusted and Negroes show themselves worthy to be citizens of a great country and a great state," he said.

Charging that the entire race problem has been misrepresented to Americans, Herbert said, "Our fellow Americans who live in other parts of our land seem unable to see and unwilling to believe that we have in our section a great race problem such as in all ages has brought strife and discord among men.

"They should be willing to believe we are as anxious as they are to do justice to all men regardless of race or color," he said. "How can any people live in harmony with large numbers of other people who are being incited to hate them? Hate breeds hate, and suspicion spawns suspicion."

Charging that there has been distortion and misrepresentation of facts in the race situation, Herbert said, "Unless this trend is stopped we will abolish kindness in our land. Northern politicians are afraid to say a kind word for the South for fear of offending the Negro vote in the great cities. Many Southern white people are afraid to say a kind word for the Negro for fear other Southern whites will think they have joined the Quislings in the South such as the Ralph McGills, Hodding Carters and Jonathan Daniels."

Calling the action of the people of Prince Edward County, Virginia, a "blow to the NAACP and other organizations set on by the Communist Party," Herbert said, "Those Virginians with the courage to act in the interest of democracy, have shook the opposition all the way to end of their toe nails."

Herbert, a leading defender of States' Rights, told the Rotarians, "Our entire system of public education in the South, built up in poverty and toil, is now being threatened because we can't accept mixed schools where there are large Negro populations.

"The Southern white man has the right to protect his children and at the same time to protect Negro children from conditions which arise when mixing is attempted," the Columbia attorney said. "We are compelled to do this by every instinct and every tie of parenthood and race preservation." Americans in any part of our land would claim the same right. We will claim no less."

Introduced by Thomas R. Miller, Herbert said the race problem and threats from abroad are "things that call for serious and deliberate thought. National politicians owe it to the country to busy themselves with a plan for defense against the Soviets and stop consuming their time with debates on so-called civil rights legislation. We have a problem. We want to be left alone to solve it."

## State Educates 'Federal' Pupils

# U. S. Has But One School In S. C.

The News and Courier
Charleston, S. C.
Dec. 3-5-60
P. 8-B

By W. D. WORKMAN JR.
Capital Correspondent

COLUMBIA — South Carolina has between 25,000 and 30,000 "federal" children in the state's public school system, while the federal government itself maintains only one school in the state.

That single integrated school is maintained at the Parris Island Marine Base and operates on the elementary level for children of personnel stationed at the base. High school students attend the regular schools of Beaufort County School District No. 1. Beaufort school officials say the enrolment at the Parris Island school runs between 170 and 200.

Elsewhere about the state, the children of service personnel, civilian workers and other federal employes fit into the general prevailing pattern of public education. In some instances, such as at Shaw Air Force Base near Sumter; Fort Jackson at Columbia, and the Charleston Naval Base, public school faciliites have been built or acquired in immediate proximity to the defense installations.

In other instances, the "federal" children are scattered among existing schools in a pattern which reflects their residential distribution. This is especially true when the majority of parents are in the "live off, work on" category used to describe personnel which lives off the past or other federal reservation.

Federal funds are provided by Congressional appropriation to help defray the costs of operating schools frequented by children whose presence in the school districts is due to federal connections, whether by civilian occupation or military assignment.

In school District 2 of Richland County, adjacent to the sizeable army training center of Fort Jackson, federal aid for operations runs to approximately $150 per child per year for those whose parents live on and work on the post. The amount is about one-half that or those in the "live off, work on" group.

For the school year 1957-58, more than 28,000 children were classified in one category or the other of "federally connected" students. Federal funds allocable to the schools which they attended amounted to more than $2,000,000. Local school officials, incidentally, regard these funds as being a discharge of federal responsibility rather than as any "federal aid" to the district.

Indicative of the impact of "federal" children on one school system is the situaton in District 1 of Beaufort County, where numerous U. S. installations are located. The following is a table showing the number of children in both categories when the last complete study was made during the current school year:

| | Live on-work on | Live off-work on |
|---|---|---|
| From Parris Island | 291 | 1,471 |
| From Marine Air Base | 563 | 529 |
| From Naval Hospital | 34 | 197 |
| From National Cemetery | 2 | 7 |
| | 890 | 2,276 |

That October tabulation showed a total of 3,166 "federal" children and 4,656 non-federal children in the single district.

In Richland County's District 2, already mentioned, October studies showed 1,595 "federal" children and 2,450 non-federal.

Altogether, 30 of South Carolina's 108 school districts are faced with the problem of providing schooling and school facilities for children of federally-connected parents. The principal installations which provide employment or assignment for the parents are:

The Savannah River Plant of the Atomic Energy Commission, chiefly affecting Aiken, Barnwell and Allendale Counties, although employes are widely distributed by residence in other counties of the mid-state and Lowcountry.

The Parris Island Marine Base, Marine Corps Auxiliary Air Field, Naval Hospital, and National Cemetery, all in Beaufort County.

The Charleston Naval Base, Minecraft Base, Charleston Air Force Base, and allied installations, all in Charleston County but affecting numerous nearby counties.

The Myrtle Beach Air Force Base, in Horry County.

Fort Jackson, in Richland County.

Shaw Air Force Base, in Sumter County.

Donaldson Air Force Base, in Greenville County.

For the school year 1957-58, the federally connected students in the 30 counties where their parents live made up more than 10 per cent of the total enrolment in those counties. There are 28,080 such "federal" children out of a total of 233,472 enrolled in those counties.

# Carolina Negroes March On Governor's Mansion

The Atlanta Constitution
Atlanta, Ga. Fri, 5-6-60

COLUMBIA, S.C. (AP)—Negro students marched on the South Carolina State House and the Governor's Mansion at Columbia Thursday in simultaneous demonstrations apparently aimed at proposed legislation dealing with a move to integrate public schools.

About 30 students chanted "Down, down, down with segregation" while parading around the State House where the General Assembly was meeting to consider the new legislation.

Officers of the State Law Enforcement Division stopped the students from entering capitol property and they joined a group of 50 others demonstrating before the governor's mansion about a mile away.

The students paraded around the mansion for half an hour, singing the Battle Hymn of the Republic and "We shall not be moved," a marching song believed to have been inspired by the sitdown protest movement. Gov. Ernest F. Hollings, however, was at his downtown office.

# South Carolina to Keep Segregation of Schools

The Evening Star
Washington, D.C.

COLUMBIA, S. C., May 14 (AP). — The South Carolina General Assembly passed disputed legislation aimed at preserving school segregation and ended State-wide business for the 1960 session yesterday.

The strategy meant knocking out requirements for school segregation in hopes this will keep integration suits out of Federal courts.

Repealing the segregation requirement from the State budget bill ran into expected arguments in the House after the Senate approved the plan without debate. It was passed by the House on voice vote despite the objections.

"I feel the decision is wrong," declared Representative Barney Dusenbury of Florence, one of nine House members who opposed the program recommended by the State Segregation Committee. "Time is going to prove who is right."

Representative C. R. Parrott of Florence, another objector, said the State can best avoid "the catastrophe of integration" by starting now to convert the public school system into a system of private schools."

The Segregation Committee plan, he said, "is just putting off the evil day."

Mr. Parrott said the way is now clear for State money to be used for integrated schools, forbidden before the segregation requirements were repealed.

Clarendon County is now faced with a school integration suit in its Summerton School District No. 1.

The bill knocking out segregation as a requirement for State school funds will not be signed into law by Gov. Hollings until it becomes necessary to use that maneuver—probably in the Clarendon County case.

In Clarendon County

The Pittsburgh Courier P. 2
Pittsburgh, Pa. Sat, 7-30-60

# South Carolina Negroes Fight Economic Reprisals

By JOHN H. McCRAY
(Special to The Courier)

SUMMERTON, S. C.—Clarendon County's Negroes, fighting for 14 fruitless years now to integrate public schools, are staving off a third round of economic pressure from whites, led by the well-oiled White Citizens Council.

The pressures are applied against parents and guardians of some 83 children, participants in a Federal court action now pending. At the same time, economic reprisals continue against most or nearly 200 others whose names are among plaintiffs who secured a desegregate "with all deliberate speed" Federal court order in 1955. Prior to 1955, the reprisals weren't as complete and organized; some of them had operated since 1946, the year the Clarendon School fight started.

■

**TYPICAL** of the victims is William Ragin, a successful farmer who lives just outside of Summerton, to the west. Mr. Ragin had been hit in 1955 by local white firms operating under the Citizens Council formula for those Negroes wishing legal and civil rights.

**But a year or two ago, with whites feeling the pinch of lost trade, he was among several who apologized for having been "bad boys" in business, and invited back the trade they had shooed away.**

One such place was a filling station. Mr. Ragin bought his gas and oil here, and such other items as he needed on open account. He settled up promptly and in full once a month. After he petitioned the court to wipe out school segregation:

"The man waited good until I paid him up for the month to tell me I'd have to pay cash as long as my name stayed on that list," Mr. Ragin said.

■

**HARRY BRIGGS,** whose name leads the list of plaintiffs in the original Clarendon suit, has long since left Summerton. He's workin now in Florida. The Summerton filling station, where he had worked for years, fired him immediately after he joined with other Negro parents in suing for integrated schools. His wife was also fired from her job at a motel.

■

**WHITES,** here and elsewhere in Clarendon County haven't stopped with just taking away from, and keeping out of, jobs those Negroes they suspected of favoring desegregation; they've used at least three other weapons.

(1.) They have maintained a campaign of terror and the feeling of insecurity which goes with having one's home or business shot into or mysteriously burned down at night. Homes of the now-fled Rev. J. A. DeLaine, of Rev. J. W. Seals, of Thelmer Bethune have all burned mysteriously at night.

**One morning Summerton residents awoke to find KKK handbills on their front porches. Mr. Bethune got KKK threats by mail.**

At Manning, 10 miles east of Summerton, the undertaking establishment of Billie S. Fleming, president now of the Manning NAACP chapter, was shot into several times at night by assailants whizzing by in cars.

(2.) Clarendon whites' second economic attack is that of cutting off credit in local stores and banks of Negroes susupected of favoring desegregation. The effect is a sort of "You can't work and you can't buy" policy, especially a hardship in a small rural county where farming and installment buying are the community's main life.

(3.) A third phase of the economic attack, quite intersting, is that Negro-owned business establishments, where the owners are also suspected or disliked by whites, are having deliveries of goods and stock stopped. As explained by one of these victims, Mrs. Mary Oliver, who operates Oliver's Cafe, here's how this reprisal is worked:

White salesmen, running pilot to deliverymen, are warned that should they sell or deliver goods to Negro business concerns "on the list," they would not be permitted to service white stores and establishments in town.

■

**A SYMPATHETIC** bread salesman suggested to Mrs. Oliver that she "go and take your name off the list. Then, I can serve you. It's not me; you've been a good customer for years." Angry tears coursing her cheeks, Mrs. Oliver told the man:

**"I'd never do it, I'd die like a hungry dog before I'd change one letter in what I signed."**

She and the several other establishments "on the list" have had to travel 23 miles to Sumter, 67 miles to Columbia, 33 miles to Kingstree, 50 miles to Orangeburg, and elsewhere to keep stock on hand. In isolated instances, they've worked out deals with white deliverymen, such as this one:

■

**MONEY** for the week's supply is left with a sympathetic person, who meets the deliveryman somewhere else and pays him. The goods are then dumped by the truck on a street and are picked up there immediately by the friend, who brings them to the store.

Summerton is supplied by jobbers with bases in the several cities and towns listed two paragraphs above. At one time, salesmen and deliverymen for the products listed below respected the "list of Negroes" whites wanted punished:

**Coca Cola, Pepsi Cola, Miller's High Life beer, Schlitz, Pabst, and in fact, all beer distilleries, Subeam bread, Paradise Ice Cream, Coble dairy products, Lay's Potato Chips and snacks, all meat packers, etc.**

**At Manning, one citizen, noting a recent visit into the county by FBI agents investigating voting rights, posed this question:**

**"Why doesn't the Government check up on this economic pressure?**

**"There are hundreds of wit-**

nesses who are victims. Is it lawful to fire a man because he wants to have his full rights?

"Is it lawful to try to force a man to your way of thinking by conspiring to starve him to death, even if he has the money to live

14d(1) 1960

SOUTHERN REGIONAL COUNCIL
Pamphlet- SCHOOL DESEGREGATION, THE FIRST SIX YEARS

# South Told Don't Fear School Desegregation

The Pittsburgh Courier
Pittsburgh, Pa.

(Courier Press Service)

ATLANTA, Ga.—There is nothing dreadful to fear from school desegregation, the Southern Regional Council has pointed out to the South in a 35-page booklet report on "School Desegregation, the First Six Years."

The review— fourth since August 1953, in a series released by the Council, answers 30 burning question arising out of the issue.

14d(1)

The first report, "Questions and Answers," was issued in August 1953 when the Supreme Court decision was being awaited. The next, "Answers for Action," came in June 1954, after the decision. The third, "Next Steps in the South," was in July 1956.

Sat 6-25-60

The present report is to put in perspective all the questions "for a South still wrestling with itself," as the Council puts it, "in its search for the moral and social values demanded by its aged racial problems."

■ P. 1

**AMONG THE** questions answered are such as these, with the condensed answers:

"Does desegregation violate the freedom of association?" A. "In a democracy, the freedom of association is a valued civil liberty. The desegregation of public schools will not jeopardize it. Public schools are not private clubs.

"What is the prospect for schools not yet desegregated?" A. "If there are Negro children living within the attendance area, there is the likelihood that, sooner or later, some will petition to be enrolled at the 'white' school. If the real reason for refusal can be shown to have been race, the courts will order admission . . . If there are state laws prohibiting desegregation, they will be overruled."

"Who loses when the schools are closed to avoid desegregation?" The answers indicate: "The students are victimized." "The teachers are hurt." "Community morals and culture suffer." "The nation loses." "The economy is damaged."

The booklet details the several desegregation plans used in various cities.

It describes "token desegregation," as "the admission of just enough Negroes to get by the law."

# More Southern School Districts Desegregated

Atlanta Daily World
Atlanta, Ga.

NASHVILLE, Tenn.—Desegregated school districts increased slightly in the past nine months, despite a sharp decline in the number of school districts because of consolidations, Southern School News reported in its February issue.

The Districts with desegregated schools increased from 734 to 748 during the period. Consolidations cut the total of school districts in the 17 states and the District of Columbia from 7,74 last May to 6,973 in January of this year. The number of districts with residents of both races dropped from 2,881 to 2,859.

The latest district to desegregate was Floyd County in southwest Virginia. Two previously all-white schools there admitted a total of 13 Negroes in the last week of January.

Alexandria, Va., which already had three integrated schools accepted five Negroes at a fourth all-white school Feb. 1.

Of almost 13 million students enrolled in public schools in the region, 2 1-2 million whites and one-half million Negroes are in integrated situation. This does not mean that this number of pupils attend integrated schools but that their school districts have desegregation policies in practice or principle.

**MORE COLLEGE DESEGREGATION**

Desegregation increased in the public colleges and universities of the South. Of the 195 formerly all-white institutions, 124 in 14 states are desegregated in practice or principle, compared to 117 in 13 states reported last May when the last SERS statistical summary was compiled.

Eighteen of the 30 formerly all-Negro institutions are desegregated. This makes 142 of 225 institutions of higher learning that will accept students of both races.

In addition to the Virginia desegregation, two other major developments Southern School News correspondents reported were the progress of proposed civil rights legislation in congress and the debate in Georgia on whether to close the schools or desegregate them.

The House Rules Committees decision to hold a hearing on the civil rights bill raised the possibility that the proposal might be cleared for consideration in the lower house this month.

Georgians began debating whether to close the schools to preserve segregation after a federal judge approved a pupil placement plan to desegregate Atlanta schools. Existing state laws would require the closing of state schools in the event of integration.

# Military Bases Affect Schools

Commercial Appeal

## Desegregation Of Classes Is Pushed In Five States Of South, Border

Special to The Commercial Appeal

NASHVILLE, March 4.—The presence of military bases has sped school desegregation in five Southern and border states, Southern School News reported in its February issue.

State correspondents reported in a special survey that military officials, through agreements with local officials, or individual servicemen, through court action, helped initiate desegregation in Arkansas, Maryland, North Carolina, Tennessee and Texas.

**Three Have None**

Three Deep South states—Alabama, Mississippi and Louisiana—have no desegregation in any public elementary or secondary schools, and the military bases in these states do not operate on-base schools.

In Georgia and South Carolina—the other two states with complete public school segregation—a single on-base school operated by the Federal Government represents the state's only integration. The armed forces follow a strict policy of integrated schools on military installations.

In other Southern and border states the degree of desegregation varies from interracial schools for military dependents only to full integration. A Pentagon spokesman told Southern School News that where military dependents attend off-base schools, the services follow "customs and decisions of local agencies in the areas of the military installation."

Some 70,000 children of military personnel attend off-post classrooms in the South. Pending civil rights legislation would provide Federal schools for these children when public schools are closed to avoid integration.

**Developments Listed**

At month's end, a series of demonstrations, protesting segregation at lunch counters and restaurants had spread to eight Southern and border states. Most of the demonstrations were led by Negro college students.

These were the month's developments by states:

ALABAMA—Gov. John Patterson's position that Alabama's public schools should be closed before yielding even to token integration was challenged in the state's newspapers.

ARKANSAS—In Arkansas's Dollarway desegregation case, a Federal district judge refused to overrule a pupil assignment law and order three Negroes admitted to an all-white school. However, the judge instructed the Dollarway board to end segregation.

DELAWARE—The state Board of Educatino denied a Negro group's charge that expansion of existing Negro schools meant a policy to "perpetuate desegregation."

DISTRICT OF COLUMBIA — Congressional activity on civil rights proposals reached a peak with the Senate in extended sessions to debate the issue.

FLORIDA—A suit filed in Federal District Court at Pensacola challenged school segregation of Escambia County schools. The county is in Florida's northwest panhandle, where segregation sentiment is strong.

GEORGIA—The Legislature created a special school study commission and adjourned without taking any action on the school desegregation issue. An attorney for the National Association for the Advancement of Colored People then announced plans to ask Federal court to permit the Atlanta Board of Education to start its pupil placement plan.

KENTUCKY — Democratic Gov. Bert Combs won legislative and court approval of his "limited" constitutional revision proposal, which excludes school integration from the agenda.

LOUISIANA—Three Federal judges ruled the NAACP need not file its membership list with the Louisiana secretary of state.

MARYLAND—NAACP lawyers in Maryland filed in Federal District Court their long-expected suit challenging anew Hartford County's pupil placement plan.

MISSISSIPPI—Mississippi's bi-racial advisory committee to the Civil Rights Commission announced plans to investigate alleged voter discrimination.

MISSOURI—The St. Louis Board of Education voted to submit two big school bond issues to meet an increasing school population, caused in part by Negroes newly immigrated from the South.

NORTH CAROLINA—Protest demonstrations by Negroes at white lunch counters and restaurants originated in Greensboro at the beginning of February and swept through the South, increasing racial tension in eight states and in some instances breaking out into violence.

OKLAHOMA—Two southeastern Oklahoma school districts revealed plans for integrating schools this coming year.

SOUTH CAROLINA—Negro organizations protested the lack of Negro trustees on the board for South Carolina State College.

TENNESSEE—A demand for desegregation of Chattanooga public schools came in the midst of a series of lunch counter "sitdowns," in which violence erupted in the downtown business section. Similar demonstrations in Nashville led to three incidents and many arrests.

TEXAS—For the fourth time in a five-year-old suit, the National Association for the Advancement of Colored People asked the United States Fifth Circuit Court of Appeals to order Dallas to produce a desegregation plan.

VIRGINIA—All three members of Virginia's Pupil Placement Board resigned Feb. 24 in protest against the state's new "freedom of choice" school segregation policy.

WEST VIRGINIA—Gov. Cecil Underwood considered calling a special legislative session to unravel a problem over appointment of a state mental health chief. One of the likely candidates is a Negro doctor.

**MILITARY BASES** in three Southern states-Alabama, Mississippi and Louisiana-do not operate on-base schools. there are no integrated public elementary or secondary schools in those states.

Schools in two other Southern states-Georgia and South Carolina-are completely segregated, except where on-base schools are operated by the federal government.

**A STRICT POLICY** of integrated schools is followed by the armed forces on military installations. SERS reported that approximately 70,000 children of military personnel attend off-post classrooms in the South. Pending civil rights legislation would provide federal schools for these children in the event public schools were closed to avoid integration.

# Integration Is Effected In 5 States

Journal and Guide
Norfolk, Va.

## Base Training Given In 2 Others, 3 Have No Pupil Facilities

Sat. 3-12-60.

NASHVILLE — (UPI) — Military officials helped initiate desegregation of schools in five Southern and border states, Southern School News reported Thursday.

The official publication of Southern Education Reporting Service said desegregation had been effected through agreements with local officials or individual servicemen, or through court action in Arkansas, Maryland, North Carolina, Tennessee and Texas.

# Southern Military Bases Help Force School Desegregation

NASHVILLE, Tenn. — The presence of military bases has sped school desegregation in five southern and border states, Southern School News reported in its February issue.

The paper's state correspondents reported in a special survey that military officials, through agreements with local officials, or individual servicemen, through court action, helped initiate desegregation in Arkansas, Maryland, North Carolina, Tennessee and Texas.

Three Deep South states — Alabama, Mississippi and Louisiana— have no desegregation in any pubschools, and the military bases in these states do not operate on-base schools.

In Georgia and South Carolina— the other two states with complete public school segregation — a single on-base school operated by the federal government represents the state's only integration. The Armed Forces follow a strict policy of integrated schools on its military installations.

In other southern and border states the degree of desegregation varies from inter-racial schools for military dependents only to full integration. A Pentagon spokesman told Southern School News that where military dependents attend off-base schools, the services follow "customs and decisions of local agencies in the areas of the military installation."

Some 70,000 children of military personnel attend off-post classrooms in the South. Pending civil rights legislation would provide federal schools for these children in cases where public schools are closed to avoid integration.

The monthly newspaper also reported in its March issue that pressure to desegregate public schools increased in six southern and border states during February, mostly through federal courts.

At month's end, a series of demonstrations, protesting segregation at lunch counters and restaurants had spread to eight southern and border states. Most of the demonstrations were led by Negro college students.

These were the month's developments by states:

Alabama — Gov. John Patterson's position that Alabama's public schools should be closed before yielding even to token integration was challenged in the state's newspapers.

Arkansas — In Arkansas's Dollarway desegregation case, a federal district judge refused to overrule a pupil assignment law and order three Negroes admitted to an all-white school. However, the judge instructed the Dollarway board to end segregation.

Delaware — The State Board of Education denied a Negro group's charge that expansion of existing Negro schools meant a policy to "perpetuate desegregation."

District Of Columbia — Congressional activity on civil rights proposals reached a peak with the Senate in extended sessions to debate the issue.

Florida — A suit filed in federal district court at Pensacola challenged school segregation of Escambia County schools. The county is in Florida's northwest panhandle, where segregation sentiment is strong.

Georgia — The Legislature created a special school study commission and adjourned without taking any action on the school desegregation issue. An attorney for the National Assn. for the Advancement of Colored People then announced plans to ask federal court to permit the Atlanta Board of Education to start its pupil placement plan.

Kentucky — Democratic Gov. Bert Combs won legislative and court approval of his "limited" constitutional revision proposal, which excludes school integration from the agenda.

Louisiana — Three federal judges ruled the NAACP need not file its membership list with the Louisiana secretary of state.

Maryland — NAACP lawyers in Maryland filed in U. S. District Court their long - expected suit challenging anew Harford County's pupil placement plan.

Mississippi — Mississippi's biracial advisory committee to the Civil Rights Commission announced plans to investigate alleged voter discrimination.

# School Desegregation Sped By Presence Of Military Bases

NASHVILLE, Tenn. — The presence of military bases has sped school desegregation in five southern and border states, Southern School News reported in its February issue.

The paper's state correspondents reported in a special survey that military officials, through agreements with local officials, or individual servicemen, through court action, helped initiate desegregation in Arkansas, Maryland, North Carolina, Tennessee and Texas.

Three Deep South states - Alabama, Mississippi and Louisiana - have no desegregation in any public elementary or secondary schools, and the military bases in these states do not operate on-base schools.

In Georgia and South Carolina- the other two states with complete public school segregation - a single on-base school operated by the federal government represents the state's only integration. The Armed Forces follow a strict policy of integrated schools on its military installations.

VARYING DEGREE

In other southern and border states the degree of desegregation varies from inter-racial schools for military dependents only to full integration. A Pentagon spokesman told SOUTHERN SCHOOL NEWS that where military dependents attend off-base schools the services follow "customs and decisions of local agencies in the areas of the military installation."

Some 70,000 children of military personnel attend off-post classrooms in the South. Pending civil rights legislation would provide federal schools for these children in cases where public schools are closed to avoid integration.

The monthly newspaper also reported in its March issue that pressure to desegregate public schools increased in six southern and border states during February, mostly through federal courts.

At month's end, a series of demonstrations, protesting segregation at lunch counters and restaurants had spread to eight southern and border states. Most of the demonstrations were led by Negro college students.

# Integration Data Cited For Schools of South

NASHVILLE, Tenn. — Six per cent of the three million Negroes enrolled in the South's public schools are attending classes with whites this school year, SOUTHERN SCHOOL NEWS reported in its April issue.

In the sixth school term since the U. S. Supreme Court declared school segregation unconstitutional, 524,425 of the Negro students are in integrated school districts. An estimated 182,104 of these actually attend classes with whites.

The 17 southern and border states, plus the District of Columbia, have 3,039,133 Negroes and 9,901,310 whites enrolled.

The District of Columbia and West Virginia have complete ingration in their school systems. Six other states have substantial integration, five have partial integration and the remaining five maintain complete segregation.

Seventy-seven per cent of the Negro student population is enrolled in the states with the least desegregation — the five with partial integration and the five with complete segregation.

The District of Columbia, which has a current enrollment of 90,403 Negroes and 27,481 whites, adopted complete integration in 1954. The District still has 21 all-Negro schools, with an enrollment totaling 16,161. Three schools are all-white.

All of West Virginia's 24,010 Negro students are in integrated school districts. An estimated 12,000 Negroes attend schools with whites.

Five states—Arkansas, Florida, North Carolina, Tennessee and Virginia—have a combined Negro enrollment of almost one million. Desegration in these states had resulted in 916 Negroes entering formerly all-white schools.

The Negro enrollment figures for these five states are:

| State | Negroes Enrolled | Integrated Districts | Schools W-Whites |
|---|---|---|---|
| Arkansas | 104,205 | 9,750 | 98 |
| Florida .. | 192,093 | 25,881 | 512 |
| N. Car. .. | 302,060 | 43,506 | 34 |
| Tenn. .... | 146,700 | 13,576 | 169 |
| Virginia . | 203,229 | 21,743 | 103 |

The five Deep South states with complete segregation — Alabama, Georgia, Louisiana, Mississippi and South Carolina—have a total Negro enrollment of 1,391,921 representing 46 per cent of the region's total. Georgia has the largest Negro enrollment of any southern or border state: 310.753.

# Top Court's School Ruling

## 6 Years Old

### Five States Still Segregate Pupils

NASHVILLE — The sixth anniversary of the U. S. Supreme Court's school desegregation decision occurs this month with six percent of the South's Negro students attending schools with whites, SOUTHERN SCHOOL NEWS reported in its May issue.

The court handed down its ruling that public school segregation was unconstitutional on May 17, 1954. An implementation decision followed on May 31, 1955, directing that desegregation proceed with all deliberate speed.

At the time of the first decision, 17 southern and border states and the District of Columbia required segregation of the races in their public schools. As the end of the sixth school year approaches, complete segregation is maintained in five of these states: Alabama, Georgia, Louisiana, Mississippi and South Carolina.

**OTHER 12 STATES**

The other 12 states and the District of Columbia have 182,104 Negroes attending classes with whites. Out of the region's total of 3,039,133 Negro students, 524,425 of them attend school in districts that have desegregation in practice or principle.

Statistics kept by Southern Education Reporting Service and Southern School News trace the developments since the '54 ruling. At the close of the 1956 school year, 450 school districts were reported desegregated. In 1957, 270 were added and in 1958, 60.

Other developments, state by state, during April were:

Alabama — the 13 Negroes who applied for admission to the University of Alabama's Extension Service Center in Montgomery will not be enrolled for the spring quarter, university authorities announced.

Arkansas — Negro plaintiffs in the Little Rock case filed a 66-page brief arguing against the use of the pupil assignment law and for expansion of the desegregation plan.

Delaware — The U. S. Third Circuit Court of Appeals in Philadelphia was asked to set aside Delaware's grade-a-year desegregation plan approved by a lower federal court in 1959.

**SUCCESS IN D. C.**

District of Columbia — Washington school Supt. Carl F. Hansen reported that five years of school desegregation had given students rising achievement levels.

Mississippi — The current Legislature passed a bill authorizing local trustees to close public schools on threat of integration, an authority previously reserved to the governor. Eight other bills with racial angles either had passed or were pending.

Tennessee — Two school boards in the state adopted grade-a-year desegregation plans like that originated in Nashville.

## 12 Others Ease School Segregation

### 182,104 Colored Pupils Attending Integrated Schools

NASHVILLE, Tenn. —(UPI) —Six years after the U. S. Supreme Court's school segregation decision only six per cent of the South's colored pupils with whites, Southern School News reported last week.

The publication issued by the Southern Education Reporting Service traced developments in the school desegregation picture from the original court-ruling May 17, 1954, and an implementation decision on May 31, 1955, directing that desegregation proceed with all deliberate speed.

**WHEN THE** decision was handed down 17 southern and border states and the District of Columbia required segregation of the races in public schools.

After six years complete segregation is maintained in only five states — Alabama, Georgia, Louisiana, Mississippi and South Carolina.

**THE OTHER** 12 states and the District of Columbia have 182,104 colored pupils attending classes with whites. Out of the region's total of 3,039,133 Negro students, 524,425 of them attend school in districts that have desegregation in practice or principle, SERS said.

## 46 School Cases In Dixie States

NASHVILLE, Tenn. — School officials in 13 southern and border states are confronted with 46 active court cases concerning school desegregation, Southern School News reported in this month's issue.

Twenty-nine of the cases seek desegregation for the first time, the paper said. Others request the courts to speed up a desegregation process already under way. A few remain on the court dockets until proposed plans for integration can be completed.

The monthly publication of Southern Education Reporting Service noted that anumber of the cases date back to before the U. S. Supreme Court's 1954 decision on school segregation. Several important developments in these cases occurred in May and the paper's correspondents report that additional developments are expected this summer.

The federal judges took unprecedented action in May by producing their own school desegregation plans in long-pending suits against the New Orleans and Dallas public school boards.

U. S. District Judge J. Skelley Wright ordered the Orleans Parish (county) school board to desegregate its schools beginning with the first grade in September. The integration plan was the Judge's own. The board has refused to submit a desegregation proposal in the eight-year-old suit.

**SITUATION IN DALLAS**

The Dallas school board, which has been under order to desegregate since 1956, offered a grade-a-year desegregation plan to begin in September 1961. But U. S. District Judge T. Whitfield Davidson gave the board 20 days to produce one not as broad.

At the judge's suggestion, the board decided to provide integrated schools in 1961 only for the children of parents who want bi-racial schools. Segregated schools will be available for those who want them.

At Houston, U. S. District Judge Ben C. Connally denied the Houston school board's request to postpone the June 1 deadline for submitting a plan. Earlier the judge had indicated that unless the board produced a plan to begin desegregation this September, he would write his own.

Judge Wright at New Orleans also ordered desegregation in public schools at St. Helena and East Baton Rouge parishes and in six state-operated schools. The order called for "all deliberate speed" but set no specific date for compliance.

The U. S. Third Circuit Court of Appeals at Philadelphia is expected to announce its verdict this month on a petition to substitute complete integration in Delaware schools for a gradual grade-a-year plan.

Pulaski County, Va., schools are under a federal court order to admit 14 Negroes to a previously all-white school in September. This is one of the 13 active school desegregation cases in Virginia, more than any state in the region.

Mississippi, which maintains segregation has had no suits to desegregate its schools. Alabama, Kentucky, the District of Columbia and Oklahoma had school desegregation suits in the past but none are active at present.

The June issue of SOUTHERN SCHOOL NEWS also reported that the current school year ended with 749 public school districts desegregated in the southern region. The desegregated districts amount to one-fourth of the 2,850 bi-racial districts in the 17 southern and border states, plus the District of Columbia. Altogether, the region has 7-016 school districts.

The semi-annual statistical summary noted little change from the figures recorded in January. Two more districts have desegregated since then: Andice, Tex. and Floyd County, Va.

In sixth year of court decision—

# Integration creeps along in South, races elsewhere

NASHVILLE, Tenn., April 4 + Six per cent of the three million Negroes enrolled in the South's public schools are attending classes with whites this year, Southern School News reported in its April issue.

In the sixth year since the U. S. Supreme Court declared school segregation unconstitutional, 524,425 of the Negro students are in integrated school districts. An estimated 182,104 of these actually attend classes with whites.

THE DISTRICT OF Columbia, which has enrollment of 90,403 Negroes and 27,481 whites, adopted complete integration in 1954. The District still has 21 all-Negro schools. Only three schools are all white.

**The six states with substantial integration are Delaware, Kentucky, Maryland, Missouri, Oklahoma and Texas. Here are the negro enrollments for these states:**

| State | Negroes enrolled | In schools with whites |
|---|---|---|
| Delaware | 14,277 | 6328 |
| Kentucky | 42,778 | 12.000 (est.) |
| Maryland | 126,678 (est.) | 28,072 |
| Missouri | 82,000 (est.) | 35,000 (est.) |
| Oklahoma | 39,405 | 10,246 (est.) |
| Texas | 279,374 (est.) | 3300 (est.) |

Several border states have discontinued listing students by race and the racial statistics have to be estimated.

FIVE STATES — Arkansas, Florida, North Carolina, Tennessee and Virginia—have a combined Negro enrollment of almost one million. Desegregation in these states had resulted in 916 Negroes entering formerly all-white schools.

The Negro enrollment for these five states are:

| State | Negroes enrolled | In schools with whites |
|---|---|---|
| Arkansas | 104,205 | 98 |
| Florida | 192,093 | 512 |
| North Carolina | 302,060 | 34 |
| Tennessee | 146,700 | 169 |
| Virginia | 203,229 | 103 |

The five Deep South states with complete segregation — Alabama, Georgia, Louisiana, Mississippi and South Carolina—have a total Negro enrollment of 1,391,921 representing 46 per cent of the region's total. Georgia has the largest Negro enrollment of any Southern or border state: 310,753.

**Two major Southern cities with segregated school systems—Dallas and Atlanta—received orders in March to report to federal courts in May on their school desegregation plans. And a third—Houston, the nation's largest segregated school district—had indications a federal judge will order desegregation in September unless the school board takes the step by then.**

Developments during March were:

ALABAMA — Thirteen Negroes applied to enroll at the University of Alabama's Extension Service Center at Montgomery. One of them was among nine expelled from Alabama State College (for Negroes) for taking part in a protest demonstration.

FLORIDA—Dade County officials followed a court-approved program by notifying parents of their rights to seek admission of their children to any school, regardless of race.

GEORGIA — The Sibley school study commission will report to the governor by May 1 on its survey of public opinion on school desegregation. U. S. District Judge Frank A. Hooper said he would wait until May 9 for a hearing on whether to order the Atlanta desegregation plan into effect this Fall.

LOUISIANA—The Orleans Parish court of appeals ruled that the Legislature, not school boards, has the right to say whether schools are segregated or integrated.

MARYLAND—New statistics show that the number and proportion of whites in Baltimore's biracial public schools have declined in one year's time.

MISSISSIPPI — The Mississippi white teachers convention criticized the state Daughters of the American Revolution for its investigation of textbooks and the claim that 44 contained subversive and unfit material.

MISSOURI—Diverse racial and economic patterns figured in the defeat of the St. Louis Board of Education's school construction and fire-safety bond issue proposals.

OKLAHOMA — The dwindling ranks of Negro high schools in Oklahoma will lose at least one more member with the closing of Booker T. Washington of Enid this Fall.

TENNESSEE—The Chattanooga Board of Education rejected demands for total, immediate school desegregation.

TEXAS—The U. S. Fifth Circuit Court of Appeals ordered Dallas officials to produce a desegregation plan by May 21.

VIRGINIA—Efforts to revive the policy of "massive resistance" to integration were narrowly defeated in the General Assembly.

# Bias Gains as Political Issue in South

NASHVILLE, Tenn., Aug. 4 (UPI) — Southern School News reported today that school desegregation and civil rights have gained impact in the South as campaign issues.

The publication put out by the Southern Education Reporting Service said the school issue has cropped up in elections in eight states and civil rights in general have been a key campaign issue in three states.

Southern School News also reported in its August issue on two court decisions recently handed down on school desegregation cases; one involving Delaware's grade-a-year desegregation plan and the other involving efforts to block desegregation of New Orleans schools.

The publication reported that a decision by a Civil District Judge in the New Orleans area "was certain to set up a legal battle between state and Federal courts."

It said Judge Oliver P. Carriere granted a preliminary injunction preventing the Orleans Parish (county) School Board from desegregating schools on Sept. 8. U. S. District Judge J. Skelly Wright has ordered integration and has provided a desegregation plan.

The publication also reported on a decision by the U. S. Third Circuit Court of Appeals calling for an end to the grade-a-year desegregation plan in Delaware by 1961.

Southern School News drew attention to the similarity between the Delaware "stair-step" plan and the widely copied Nashville plan. It said the U. S. Sixth Circuit Court of Appeals upheld the Nashville plan and the U. S. Supreme Court also in effect approved the plan when it refused to entertain an appeal.

The school desegregation issue has dominated various local and state elections this year in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina and Virginia, the report said.

# Race Issue Felt In Dixie Politics

## School Desegregation Crops Up In Elections Of Eight Southern States

By United Press International

NASHVILLE, Aug. 4.—Southern School News reported Thursday that Southern politics are apparently feeling increasing impact of school desegregation and civil rights as campaign issues.

The publication, put out by Southern Education Reporting Service, said the school issue has cropped up in elections in eight states and civil rights in general has been a key campaign issue in three states.

### Court Decisions

Southern School News also reported in its August issue on two court decisions recently handed down on school desegregation cases — one involving Delaware's grade-a-year desegregation plan and the other involving efforts to block integration of New Orleans schools.

The publication reported that a decision by a civil district judge in the New Orleans area "was certain to set up a legal battle between state and Federal courts."

It said Judge Oliver P. Carriere granted a preliminary injunction preventing the Orleans parish school board from integrating schools on September 8. United States District Judge J. Skelly Wright has ordered integration and has provided in integration plan.

### Plan Attacked

The publication also reported on a decision by the United States Third Circuit Court of Appeals calling for an end to the grade-a-year desegregation plan in Delaware by 1961.

Southern School News drew attention to the similarity between the Delaware "stair-step" plan and the widely copied Nashville plan. It said the United States Sixth Circuit Court of Appeals upheld the Nashville plan and the United States Supreme Court also in effect approved the plan when it refused to entertain an appeal.

The school desegregation issue has dominated varrious local and state elections so far this year in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina and Virginia, the report said.

And civil rights in general have been key issues in Alabama, South Carolina and Tennessee campaigns, it added.

# Southern Solons Reportedly Have Few Desegregation Plans

NASHVILLE Tenn. — With more than 230 bills and resolutions pertaining to school desegregation enacted since the U. S. Supreme Court's 1954 desegregation ruling, southern lawmakers have little additional legislation on the subject planned for 1960, a survey in the January issue of SOUTHERN SCHOOL NEWS shows.

Legislative sessions are scheduled during the first half of 1960 in eight southern and border states—Georgia, Kentucky, Louisiana, Maryland, Mississippi, South Carolina, Virginia and West Virginia.

SOUTHERN SCHOOL NEWS correspondents report that no legislation on the segregation-desegregation issue appears like in Kentucky, Mayland and West Virginia. A few segregation bills are expected in most of the other states, but no major legislative programs have been announced.

Efforts may be made to revive "massive resistance" in Virginia, but chances for such legislation are not regarded as strong.

A federal court hearing in Atlanta has focused considerable attention on Georgia's Legislature, which meets Jan. 11. The Georgia legislators are expected to have put before them a pupil placement plan drawn up by the Atlanta school board in response to a federal judge's order to produce a desegregation program. All Georgia schools are segregated, and present state law calls for closing any school told to desegregate.

In addition to the Atlanta hearing, there were two major legal developments involving the segregation-dedesegregation issue during December.

In these cases, the U. S. Supreme Court:

1) Refused to review lower court approval of Nashville's grade-a-year desegregation plan. This was the first court ruling on a desegregation plan of this nature.

2) Upheld a lower court which struck down an Arkansas school closing law invoked 16 months ago to close Little Rock high schools. States may nt close some schools and leave thers open to avid desegregation, the court held.

## Southern Legislative Roundup

# Fewer Segregation Laws Anticipated This Year

NASHVILLE, Tenn. (Special) — With more than 230 bills and resolutions pertaining to school desegregation enacted since the U. S. Supreme Court's 1954 desegregation ruling, Southern lawmakers have little additional legislation on the subject planned for 1960, a survey in the January issue of Southern School News shows.

Legislative sessions are scheduled during the first half of 1960 in eight Southern and border states —Georgia, Kentucky, Louisiana, Maryland, Mississippi, South Carolina, Virginia and West Virginia.

Southern School News correspondents report that no legislation on the segregation-desegregation issue appears likely in Kentucky, Maryland and West Virginia. A few segregation bills are expected in most of the other states, but no major legislative programs have been announced.

Efforts may be made to revive "massive resistance" in Virginia, but chances for such legislation are not regarded as strong.

A federal court hearing in Atlanta has focused considerable attention on Georgia's legislature, which meets Jan. 11. The Georgia legislators are expected to have put before them a pupil placement plan drawn up by the Atlanta school board in response to a federal judge's order to produce a desegregation program. All Georgia schools are segregated, and present state law calls for closing any school told to desegregate.

In addition to the Atlanta hearing, there were two major legal developments involving the segregation-desegregation issue during December. In these cases, the U. S. Supreme Court:

1) Refused to review lower court approval of Nashville's grade-a-year desegregation plan. This was the first high court ruling on a desegregation plan of this nature.

2) Upheld a lower court which struck down an Arkansas school closing law invoked 16 months ago to close Little Rock high schools. States may not close some schools and leave others open to avoid desegregation, the court held.

Other developments by states:

ALABAMA — Martin Luther King Jr., who will move to Atlanta to direct a Southwide fight against segregation, said steps apparently will have to be taken in federal court to get Montgomery schools desegregated.

ARKANSAS— Two "moderates" were re-elected to their seats on Little Rock's school board, and a white school board member in the Dollarway District defeated a Negro challenger.

DELAWARE — The state attorney general and lawyers for five school districts filed briefs in defense of a grade-a-year desegregation plan for Delaware. Oral arguments will be heard by the Third Circuit Court of Appeals on Feb. 15.

DISTRICT OF COLUMBIA — The U. S. Supreme Court agreed to speed up consideration of a lower court decision which has put a halt to Civil Rights Commission hearings on voting restraints.

FLORIDA — School authorities face the possibility that all schools in Dade County (Miami) may be thrown open to Negro students. This prospect was raised by the Fifth Circuit U. S. Court of Appeals' ruling that Florida's Pupil Assignment Law cannot be used as an excuse to delay desegregation.

GEORGIA — Gov. Ernest Vandiver said Martin Luther King Jr. will not be welcome when he moves to Georgia.

KENTUCKY — With a new governor, Bert Combs, in office, Kentucky moved toward a constitutional convention. School desegregation, among other issues, would be excluded from the agenda.

LOUISIANA — New Orleans Mayor deLesseps Morrison and former governor Jimmie Davis ran one-two in the state Democratic primary for governor and promptly launched drives for votes in the Jan. 9 run-off. Segregation figured prominently in the campaigning.

MARYLAND—The Montgomery County school superintendent sought construction funds that would make complete desegregation of the county's schools possible by the fall of 1961.

MISSISSIPPI — Mississippi begins 1960 with a new state administration pledge to preserve segregation. Gov. Ross Barnett will be inaugurated Jan. 19.

MISSOURI — The shift of St. Louis' Negro population was reflected in a report recently submitted to the city's Board of Education.

NORTH CAROLINA — The Yancey County Board of Education was formally made party to a suit filed in behalf of 27 Negro students seeking admission to the county's white schools.

OKLAHOMA — An organized neighborhood-stabilization effort appeared in the making for Oklahoma City's uneasy northeast residential sections.

SOUTH CAROLINA — Negro organizations scheduled a march on the Greenville airport to protest segregation of waiting rooms.

TENNESSEE — New moves to bring about classroom desegregation were made in Knoxville and Memphis.

TEXAS — The Dallas school board announced that it plans to take "positive action" in January toward initiating petitions for a desegregation referendum.

VIRGINIA — A group of white residents of Prince Edward County, where public schools are closed, formed a corporation to provide private schools for the county's Negro children. First public reaction from Negroes was negative.

WEST VIRGINIA — A feud between two Charleston high school students, one white and one Negro, almost exploded into a full-scale riot.

# Little School Integration Action Expected For '60

Chicago Defender
Chicago Ill
1-16-60

NASHVILLE, Tenn.—With more than 230 bills and resolutions pertaining to school desegregation enacted since the U. S. Supreme Court's 1954 desegregation ruling, southern lawmakers have little additional legislation on the subject planned for 1960, a survey in the January issue of Southern School News shows.

Southern School News correspondents report that no legislation on the segregation-desegregation issue appears likely in Kentucky, Maryland and West Virginia. A few segregation bills are expected in most of the other states, but no major legislative programs have been announced.

There were two major legal developments involving the segregation-desegregation issue during December. In these cases, the U.S. Supreme Court:

Refused to review lower court approval of Nashville's grade-a-year desegregation plan. This was the first high court ruling on a desegregation plan of this nature.

Upheld a lower court which struck down an Arkansas school-closing law invoked 16 months ago to close Little Rock high schools. States may not close some schools and leave others open to avoid desegregation, the court held.

Other developments by states:

**'GO TO COURT'**

ALABAMA — Martin Luther King, Jr., who will move to Atlanta to direct a Southwide fight against segregation, said steps apparently will have to be taken in federal court to get Montgomery schools desegregated.

FLORIDA — School authorities face the possibility that all schools in Dade County (Miami) may be thrown open to Negro students. This prospect was raised by the Fifth Circuit U. S. Court of Appeals' ruling that Florida's Pupil Assignment Law cannot be used as an excuse to delay desegregation.

MARYLAND — The Montgomery County school superintendent sought construction funds that would make complete desegregation of the county's schools possible by the fall of 1961.

MISSISSIPPI — Mississippi begins 1960 with a new state administration pledged to preserve segregation. Gov. Ross Barnett will be inaugurated Jan. 19.

NORTH CAROLINA — The Yancey County Board of Education was formally made party to a suit filed on behalf of 27 Negro students seeking admission to the county's white schools.

TENNESSEE — New moves to bring about classroom desegregation were made in Knoxville and Memphis.

TEXAS — The Dallas school board announced that it plans to take "positive action" in January toward initiating petitions for a desegregation referendum.

VIRGINIA — A group of white residents of Prince Edward County, where public schools are closed, formed a corporation to provide private schools for the county's Negro children. First public reaction from Negroes was negative.

# Military Bases Aid Desegregation

Chicago Defender
Chicago Illinois
1-16-60

NASHVILLE, Tenn. — The presence of military bases has sped school desegregation in five southern and border states, Southern School News reported in its February issue.

The paper's state correspondents reported in a special survey that military officials, thru agreements with local officials, or individual servicemen, thru court action, helped initiate desegregation in Arkansas, Maryland, North Carolina, Tennessee and Texas.

**NO DESEGREGATION**

Three Deep South states—Alabama, Mississippi and Louisiana — have no desegregation in any public elementary or secondary schools, and the military bases in these states do not operate on-base schools.

In Georgia and South Carolina — the other two states with complete public school segregation — a single on-base school operated by the federal government represents the state's only integration. The Armed Forces follow a strict policy of integrated schools.

In other southern and border states the degree of desegregation varies. A Pentagon spokesman told Southern School News that where military dependents attend off-base schools, the services follow "customs and decisions of local agencies."

**FEDERAL SCHOOLS**

Some 70,000 children of military personnel attend off-post classrooms in the South. Pending civil rights legislation would provide federal schools for these children in cases where public schools are closed to avoid integration.

The monthly newspaper also reported in its March issue that

**SEGREGATION SENTIMENT**

ressure to desegregate public schools increased in six southern and border states during February.

These were the month's developments by states:

ALABAMA — Gov. John Patterson's position that Alabama's public schools be closed before yielding even to token integration was challenged.

ARKANSAS — In Arkansas's Dollarway desegregation case, a federal district judge refused to overrule a pupil assignment law and order three Negroes admitted to an all-white school. However, the judge instructed the Dollarway board to end segregation.

DELAWARE — The State Board of Education denied a charge that expansion of existing Negro schools meant a policy to "perpetuate desegregation."

FLORIDA — A suit filed in federal district court at Pensacola challenged school segregation of Escambia County schools. The county is in Florida's northwest panhandle, where segregation sentiment is strong.

GEORGIA — The legislature created a special school study commission and adjourned without taking any action on the school desegregation issue. An attorney for the NAACP then announced plans to ask federal court to permit the Atlanta Board of Education to start its pupil placement plan.

KENTUCKY — Democratic Gov. Bert Combs won legislative and court approval of his "limited" constitutional revision proposal, which excludes school integration from the agenda.

Sat. 3-12-60

LOUISIANA — Three federal judges ruled the NAACP need not file its membership list with the Louisiana secretary of state.

P18

MARYLAND — NAACP lawyers in Maryland filed in US District Court their long-expected suit challenging anew Harford County's pupil placement plan.

MISSISSIPPI — Mississippi's biracial advisory committee to the Civil Rights Commission announced plans to investigate alleged voter discrimination.

**NEW PLANS**

OKLAHOMA — Two southeastern Oklahoma school districts revealed plans for integrating schools this coming year.

SOUTH CAROLINA — Negro organizations protested the lack of Negro trustees on the board for South Carolina State college.

TENNESSEE — A demand for desegregation of Chattanooga public schools came in the midst of a series of lunch counter "sitdowns," in which violence erupted in the downtown business section.

TEXAS — For the fourth time in a five-year-old suit, the NAACP asked the U. S. Fifth Circuit Court of Appeals to order Dallas to produce a desegregation plan.

VIRGINIA — All three members of Virginia's Pupil Placement Board resigned Feb. 24 in protest against the state's new "freedom of choice" school segregation policy.

WEST VIRGINIA —Gov. Cecil Underwood considered calling a special legislative session to unravel a problem over appointment of a state mental health chief. One of the likely candidates is a Negro doctor.

# South Has 768 Integrated School Districts

NASHVILLE, Tenn.—This year, for the first time since the 1954 school desegregation decision by the U. S. Supreme Court, the South's public schools opened without violence.

Major violence, ranging from boycotts and mob action to bombings, had marked the school openings in the region for the previous six years.

Southern School News correspondents reported no racial incidents during the first month of the new session in the 768 desegregated school districts. Seventeen of the districts for the first time admitted Negroes to formerly all-white classes, the paper's October issue said.

The nation's largest segregated school system, Houston, Tex., admitted 11 Negroes to predominantly white classes under a plan ordered by federal courts. The change left Dallas as the nation's largest dual school system.

Two other Texas districts, Frenship and Fredericksburg, desegregated voluntarily following local elections on the question.

**VIRGINIA HAS MOST**

Virginia had five districts to desegregate, the most that any state reported. The new desegregation in Fairfax County, Grayson County-Galax, Pulaski County, Richmond and Roanoke raised to 205 the number of Negroes attending schools with whites.

Dollarway this year became Arkansas's tenth desegregated school district in the state's first peaceful school opening since September 1956.

At least two additional Delaware districts admitted Negroes to previously all-white schools. State officials did not know if more districts than Seaford and Newport desegregated for the first time.

Two Oklahoma districts, Wewoka and Sapulpa, desegregated voluntarily, chiefly for financial reasons, as they had announced previously.

Raleigh and Chapel Hill, N. C., opened their first desegregated classes. Yancey County has until Oct. 13 to desegregate its high schools. It would be the state's tenth desegregated district and the first in North Carolina under a court order.

In Tennessee two additional districts, Knoxville and surrounding Knox County, announced desegregation plans. However, no Negroes applied in the county schools. Davidson County schools, in suburban Nashville, have until Oct. 19 to file a desegregation plan with federal court.

**NEW ORLEANS PLANS**

In New Orleans, Louisiana officials took no further action to intervene as four of the five members of the Orleans Parish school board planned to desegregate the public schools Nov. 14 under federal court order.

Last year, Southern Education Reporting Service recorded 19 new districts admitting Negroes with whites during the first month of school.

According to the best estimates available this early in the school year, the 17-state region has 6,676 districts, of which 2,834 are biracial. The enrollment includes about 10,000,000 whites and 3,100,000 Negroes.

Approximately 183,104 Negroes are attending schools with whites this session, as compared to the 181,020 reported last spring.

Trouble resulting from the resistance to school desegregation developed within months after the Supreme Court's final decision in May 1954. In the fall of that year, students and adults demonstrated in Washington, D. C.; Baltimore; Milford, Del.; and White Sulphur Springs, W. Va.

**ARKANSAS ADMITS**

In 1955, Hoxie in northeast Arkansas admitted about 25 Negroes to its white schools. Threats of violence and intimidating telephone calls caused the school board to obtain federal court injunctions against interference.

Also in 1955, a dynamiting was attempted on the home of a Negro whose two children attended all-white schools in Easton, Md. Later in the school year, 30 white boys raided a Negro settlement in Milford, Del.

The violence accompanying school desegregation increased in intensity in September 1956. Tennessee's governor ordered National Guardsmen into Clinton; the governor of Texas sent Texas Rangers to Mansfield and later had to transfer the Negro students from the district. Kentucky National Guard troops went into Sturgis and Clay to control protesting mobs, but the Negroes were not allowed to remain in the schools.

**WORST VIOLENCE**

The worst violence occurred in September 1957 at two of the South's larger cities. Hattie Cotton Elementary was dynamited in Nashville. In Little Rock, National Guard troops ordered out by Gov. Orval Faubus prevented nine Negroes from entering Central High. Federal troops were sent in to restore order, and the schools later closed.

Fear of violence over desegregation contributed to Norfolk's closing its public schools in September 1958. The schools re-opened in early 1959, and 17 Negroes entered all-white schools without incident.

Clinton experienced violence again in October 1958 when a dynamite blast wrecked the school.

Little Rock resumed operating its schools on a desegregated basis in the fall of 1959 but not without trouble. A bomb exploded outside a predominantly white high school attended by Negroes. Police stopped a mob marching on another desegregated high school.

State-by-state, the other major developments Southern School News reported on school segregation desegregation for last month were:

ALABAMA — Schools opened with no new cases reported of Negroes seeking to enter white schools.

ARKANSAS — The Arkansas Educational Assn. of white teachers took a stand against proposed Constitutional Amendment 52.

DELAWARE — The State Department of Public Instruction will present the State Board of Education with a desegregation plan for all Delaware schools.

DISTRICT OF COLUMBIA — Arthur S. Flemming, secretary of health, education and welfare, sharply criticized the continued closing of Prince Edward County, Va., schools to avoid desegregation.

FLORIDA — Florida opened the school year with some school desegregation from the first grade to the university levels.

GEORGIA — Federal court denied a preliminary injunction to two Negroes seeking admission to the University of Georgia.

KENTUCKY — Two Negroes were included in the 11 appointees to the new statewide Commission on Human Rights.

LOUISIANA — New Orleans public schools, ordered to desegregate by Nov. 14, opened with a sharp drop in white enrollment.

MARYLAND — St. Mary's County returned to the list of schools desegregated in fact after having had no Negroes enrolled with whites for the past year.

MISSISSIPPI — State officials authorized additional facilities at Negro colleges in the wake of the largest enrollment in history.

MISSOURI — St. Louis transported some 3,200 elementary school children by bus to less crowded school districts, introducing Negroes to six schools previously all-white.

NORTH CAROLINA — Raleigh admitted one Negro to a white school, becoming the state's ninth district to desegregate.

OKLAHOMA — White enrollment dropped in an integrated school despite efforts to stabilize the surrounding neighborhood's population.

SOUTH CAROLINA — A new school desegregation suit was filed in federal court, this one involving Marion County.

TENNESSEE — Nashville began its fourth year under the court-approved grade-a-year desegregation plan.

TEXAS — The U. S. Fifth Circuit Court of Appeals set Nov. 15 to review the appeal by Dallas Negroes on the "salt-and-pepper" desegregation plan ordered for 1961.

VIRGINIA — A U. S. district judge threw out Fairfax County's grade-a-year plan and ordered 19 more Negroes admitted immediately.

WEST VIRGINIA — West Virginia's public schools and colleges opened without any reported racial incidents.

# 1st Time Since High Court Ruling Of '54

NASHVILLE, Tenn. — This year, for the first time since the 1954 school desegregation decision by the U. S. Supreme Court, the South's public schools opened without violence.

Major violence, ranging from boycotts and mob action to bombings, had marked the school openings in the region for the previous six years.

SOUTHERN SCHOOL NEWS correspondents reported no racial incidents during the first month of the new session in the 768 desegregated districts. Seventeen of the districts for the first time admitted Negroes to formerly all-white classes, the paper's October issue said.

The nation's largest segregated school system, Houston, Tex., admitted 11 Negroes to predominately white classes uunder a plan ordered by federal courts. The change left Dallas as the nation's largest dual school system.

**2 VOLUNTEER**

Two other Texas districts, Friendship and Fredericksburg, desegregated voluntarily following local election on the question.

Virginia had five districts to desegregate, the most that any state reported. The new desegregation in Fairfax County, Grayson County-Galax, Pulaski County, Richmond and Roanoke raised to 205 the number of Negroes attending schools with whites.

Dollarway this year became Arkansas's tenth desegregated school district in the state's first peaceful school opening since September 1956.

**2 MORE IN DELAWARE**

At least two additional Delaware districts admitted Negroes to previously all-white schools. State officials did not know if more districts than Seaford and Newport desegregated for the firs time.

Two Oklahoma districts, Wewoka and Sapulpa, desegregated voluntarily, chiefly for financial reasons.

Raleigh and Chapel Hill, N.C. opened their first desegregated classes. Yancey County has until Oct. 13 to desegregate its high schools. It would be the state's tenth desegregated district and the first in North Carolina under a court order.

In Tennessee two additional districts, Knoxville and surrounding Knox County, announced desegregation plans. However, no Negroes applied in the county schools. Davidson County schools, in suburban Nashville, have until Oct. 19 to file a desegregation plan with federal court.

**NO NEW ACTION**

In New Orleans, La., officials took no further action to intervene as four of the five members of the Orleans Parish school board planned to desegregate the public schools Nov. 14 under federal court order.

Last year, Southern Education Reporting Service recorded 19 new districts admitting Negroes with whites during the first month of school.

According to the best estimates available this early in the school year, the 17-state region has 6,676 districts, 2,834 of them bi-racial. The enrollment includes about 10,123,554 whites and 3,095,345 Negroes.

Approximately 183,104 Negroes are attending schools with whites this session, as compared to the 181,020 reported last spring. The 768 districts with some degree of desegregation have almost three million whites and about 600,000 Negroes enrolled.

# 46 School Cases In Dixie States

Bham World Bham, Ala
Wed. 6-8-60 14d(1)

NASHVILLE, Tenn. — School officials in 13 southern and border states are confronted with 46 active court cases concerning school desegregation, Southern School News reported in this month's issue.

Twenty-nine of the cases seek desegregation for the first time, the paper said. Others request the courts to speed up a desegregation process already under way. A few remain on the court dockets until proposed plans for integration can be completed.

The monthly publication of Southern Education Reporting Service noted that anumber of the cases date back to before the U. S. Supreme Court's 1954 decision on school segregation. Several important developments in these cases occurred in May and the paper's correspondents report that additional developments are expected this summer.

The federal judges took unprecedented action in May by producing their own school desegregation plans in long-pending suits against the New Orleans and Dallas public school boards.

U. S. District Judge J. Skelley Wright ordered the Orleans Parish (county) school board to desegregate its schools beginning with the first grade in September. The integration plan was the judge's own. The board had refused to submit a desegregation proposal in the eight-year-old suit.

**SITUATION IN DALLAS**

The Dallas school board, which has been under order to desegregate since 1956, offered a grade-a-year desegregation plan to begin in September 1961. But U. S. District Judge T. Whitfield Davidson gave the board 20 days to produce one not as broad.

At the judge's suggestion, the board decided to provide integrated schools in 1961 only for the children of parents who want bi-racial schools. Segregated schools will be available for those who want them.

At Houston, U. S. District Judge Ben C. Connally denied the Houston school board's request to postpone the June 1 deadline for submitting a plan. Earlier the judge had indicated that unless the board produced a plan to begin desegregation this September, he [illegible] his own.

Judge Wright at New Orleans also ordered desegregation in public schools at St. Helena and East Baton Rouge parishes and in six state-operated schools. The order called for "all deliberate speed" but set no specific date for compliance.

The U. S. Third Circuit Court of Appeals at Philadelphia is expected to announce its verdict this month on a petition to substitute complete integration in Delaware schools for a gradual grade-a-year plan.

Pulaski County, Va., schools are under a federal court order to admit 14 Negroes to a previously all-white school in September. This is one of the 13 active school desegregation cases in Virginia, more than any state in the region.

Mississippi, which maintains segregation has had no suits to desegregate its schools. Alabama, Kentucky, the District of Columbia and Oklahoma had school desegregation suits in the past but none are active at present.

The June issue of SOUTHERN SCHOOL NEWS also reported that the current school year ended with 749 public school districts desegregated in the southern region The desegregated districts amount to one-fourth of the 2,850 bi-racial districts in the 17 southern and border states, plus the District of Columbia. Altogether, the region has 7,016 school districts.

The semi-annual statistical summary noted little change from the figures recorded in January. Two more districts have desegregated since then: Andic, Tex. and Floyd County, Va.

# Mississippi Is Only Segregated Bulwark

Jackson Daily News
Jackson, Miss
Sun, 7-3-60

NASHVILLE, Tenn., (UPI) — Negroes, in three new federal law suits filed in June, are seeking to desegregate public schools for the first time in Birmingham, Ala., Volusia County, Fla., and Caswell County, N. C., Southern School News reported in its July issue.

The Birmingham action represents the only litigation attacking segregated schools in that state, according to the monthly publication of Southern Education Reporting Service.

Mississippi has become the only state that maintains complete segregation in its school system and does not have a suit seeking to change the situation.

The Orleans Parish (county) school board, facing a federal court order to desegregate the New Orleans public schools beginning Sept. 6, has appealed to Louisiana Gov. Jimmie H. Davis to use the doctrince of interposition to keep the schools open on a segregated basis.

The Houston. Tex., school board is awaiting a decision by U. S. District Judge Ben C. Connally on the undisclosed desegregation plan it has submitted to the court. The Negro plaintiffs are seeking to enter the white schools at the start of the school year in September.

**ALABAMA SUIT**

The new Alabama suit entered on June 17 charges that the pupil assignment law, previously upheld by the U. S. Supreme Court, is "inadequate to provide relief."

A suit in federal court at Jacksonville, Fla., was filed in behalf of 39 Negro students from Volusia County (Daytona Beach). NAACP attorneys said it was the most extensive school suit ever filed in the nation. The petition concerns not only pupils but also assignment of teachers and administrative personnel and budgeting of school funds.

Forty-four Negroes seek desegregation of Caswell county, N. C., schools. Since the suit was filed, seven of the students have requested transfers to the county's white schools.

The school board at Chapel Hill, home of the University of North Carolina, voted unanimously June 27 to accept the applications of three Negro students for the first grade at an all-white school. This would be the first desegregation in the 3,500-student school system. The board unanimously rejected nine Negroes' applications for transfer to the all-white junior high.

**STATE BY STATE**

State by state, the major school developments in June were:

ALABAMA —The State Board of Eduvation ordered Dr. Lawrence D. Reddick expelled as a faculty member at Alabama State College for Negroes after Gov. John Patterson branded him an agitator and Communist sympathizer.

ARKANSAS —At Little Rock, 39 junior high and 35 senior high Negro students asked assignment to white or integrated schools next fall.

DELAWARE — The Delaware House of Representatives approved a bill providing three million dollars for construction at 15 Negro schools.

DISTRICT OF COLUMBIA — Southern Democrats and conservative Republicans on the House rules committee joined to block efforts to send a federal school construction aid bill to a Senate-House conference.

FLORIDA —Legal action continued to dominate the school segregation picture in Volusia County, Palm Beach and Pensacola.

GEORGIA —The State Bar Association president called for repeal of all of Georgia's segregation laws, causing widespread comment and bringing varied reaction from lawyers.

KENTUCKY — Gov. Bert Combs named nine persons, including one Negro, to the newly created Commission on Public Education.

LOUISIANA —The U. S. Fifth Circuit Court of Appeals turned down the Orleans parish school board's request for a stay of a lower court's desegregation order.

MARYLAND —White and Negro teacher associations in Anne Arundel county merged as plans were set for desegregation to advance another grade there and in four other Maryland counties.

MISSISSIPPI —Fourteen new laws stemming from the U. S. Supreme Court's 1954 school decision were placed on the Mississippi statute books during the recent legislature.

MISSOURI— The St. Louis board of education inaugurated a crash program in remedial reading and spelling for 2,000 elementary school children.

NORTH CAROLINA— North Carolina Democrats nominated Terry Sanford for governor and thus endorsed the state's four-year-old approach to school desegregation.

OAKLAHOMA — Integration of a rural school district during the past year was revealed and another district reported steps leading to integration next year.

SOUTH CAROLINA — South Carolina Democrats renominated U. S. Sen. Storm Thurmond for another term by a margin of more than eight to one.

TENNESSEE —The Chattanooga board of education cited the possibility of the public's "intense resistance" in its answer to a school desegregation suit.

TEXAS —Attorneys for Negro applicants gave notice of appeal from U. S. District Judge T. Whitfield Davidson's ruling that Dallas should begin school desegregation in 1961 on a "salt-and pepper" plan.

VIRGINIA — The NAACP moved to force the reopening of Prince Edward county's public schools but further hearing was delayed.

WEST VIRGINIA —Former State School Supt. W. W. Trent, who helped chart desegregation of the state's public schools, died at the age of 82.

# Mississippi only state not faced with mixing suits

Bham News Bham Ala

NASHVILLE, Tenn., July 2—(AP)—Mississippi is the only state that has neither desegregated public schools nor a suit seeking to change the situation, Southern School News reported Saturday.

The publication, in its monthly report, said Negroes filed three suits in federal courts last month seeking to desegregate public schools for the first time in Birmingham, Ala.; Volusia County Fla., and Caswell County, N. C

The report quoted lawyers for the National Assn. for the Advancement of Colored People as saying a suit filed in Jacksonville, Fla., on behalf of 39 Daytona Beach Negro students is "the most extensive school suit ever filed in the nation."

It said the petition concerns "not only pupils but also assignment of teachers and administrative personnel and budgeting of school funds."

The Birmingham suit is the only litigation against segregated schools in Alabama.

# Rights, Schools Top In Southern Politics

Chicago Defender

Chicago, Ill.

Aug. 8-14-60

NASHVILLE, Tenn. — School desegregation and civil rigts issues appear to be playing increasingly stronger roles in southern politics, SOUTHERN SCHOOL NEWS reported in a special survey.

The school issue has ended up dominating various local and state election so far this year in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, North Carolina and Virginia, the paper's August edition stated.

The segregation issue in general has played the leading role in Alabama, South Carolina and Tennessee campaigns.

Correspondents for SOUTHERN SCHOOL NEWS found that in the Deep South states the candidates differ on the segregation issue only in the degree of support for separation of the races.

The segregation-desegregation issue generally is a dead one in the border states, wherein most of the area's school integration has occurred.

These same issues continue to dominate the region's interest in national politics. The voters and political leaders of the South gave most of their consideration to stands on the race issue.

The paper also reported on two court decisions handed down on school desegregation cases.

The U. S. Third Circuit Court of Appeals has ordered Delaware's grade-a-year desegregation ended by 1961, a decision that could have repercussions in school suits pending in other states. The grade-by-grade plan will be allowed to continue until September 1961, when the full tegration plan goes into effect.

School officials quickly noted that the Delaware plan was similar to the widely copied Nashville plan, which the U.S. Sixth Circuit Court of Appeals upheld and the U. S. Supreme Court approved, in effect, when it refused to entertain an appeal.

In Louisiana, state officials moved in state courts to block a federal court's desegregation order for New Orleans public schools. Civil District Judge Oliver P. Carriere granted a preliminary injunction that prevents the Orleans Parish (county) school board from integrating the schools on Sept. 8.

The decision was certain to set up a legal battle between the state and federal courts. U. S. District Judge J. Skelly Wright has ordered the board to integrate and he provided the plan under which it was to operate.

# *Violence Missing As Schools Open*

Birmingham World

Birmingham, Ala.

Aug. 12-18-60

**NASHVILLE, Tenn.—This year, for the first time since the 1954 school desegregation decision by the U.S. Supreme Court, the South's public schools opened without violence.**

Major violence, ranging from boycotts and mob action to bombings, had marked the school openings in the region for the previous six years.

SOUTHERN SCHOOL NEWS correspondents reported no racial incidents during the first month of the new session in the 768 desegregated school districts. Seventeen of the districts for the first time admitted Negroes to formerly all-white classes ,the paper's October issue said.

Southern Education Reporting Service publishes SOUTHERN SCHOOL NEWS monthly, giving state-by - state reports on school segregation - desegregation developments.

**The nation's largest segregated school system, Houston, Tex. admitted 11 Negroes to predominantly white classes under a plan ordered by federal courts. The change left Dallas as the nation's largest dual school system.**

**Two other Texas districts. Frenship and Fredericksburg, desegregated voluntarily following local elections on the question.**

**MORE VIRGINIA DESEGREGATION**

Virginia had five districts to desegregate, the most that any state reported. The new desegregation in Fairfax County, Grayson County - Galax, Pulaski County, Richmond and Roanoke raised to 205 the number of Negroes attending schools with whites.

Dollarway this year became Arkansas's tenth desegregated school district in the state's first peaceful school opening since September 1956.

At least two additional Delaware districts admitted Negroes to previously all-white schools. State officials did not know if more districts than Seaford and Newport desegregated for the first time.

Two Oklahoma districts, Wewoka and Sapulpa, desegregated voluntarily, chiefly for financial reasons, as they had announced previously.

Raleigh and Chapel Hill, N. C., opened their first desegregated classes. Yancey County has until Oct. 13 to desegregate its high schools. It would be the state's tenth desegregated district and the first in North Carolina under a court order.

In Tennessee two additional districts, Knoxville and surrounding Knox County, announced desegregation plans. However, no Negroes applied in the county schools. Davidson County schools, in suburban Nashville, have until Oct. 19 to file a desegregation plan with federal court.

In New Orleans, Louisiana official took no further action to intervene as four of the five members of the Orleans Parish school board planned to desegregate the public schools Nov. 14 under federal court order.

Last year, Southern Education Reporting Service recorded 19 new districts admitting Negroes with whites during the first month of school.

According to the best estimates available this early in the school year, the 17 -state region has 6,676 districts, 2,834 of them bi-racial. The enrollment includes about 10,123,554 whites and 3,095,345 Negroes.

Approximately 183,104 Negroes are attending schools with whites this session, as compared to the 181,020 reported last spring. The 768 districts with some degree of desegregation have almost three million whites and about 600,000

# Knoxville To Integrate Under Grade-A-Year Plan

KNOXVILLE, Tenn. (AP) — U.S. District Judge Robert L Taylor Friday ordered integration of the first grade in Knoxville's city schools when classes begin Aug. 31.

The decision was a victory for the city school board, which had proposed a grade-a-year plan for integrating the schools. The board submitted the stairstep proposal in April at Judge Taylor's order.

The first grade is to be integrated this fall, and an additional grade each year until all 12 grades are integrated. A similar plan is already in effect in Nashville.

Negro attorneys had argued this plan is too slow, and their clients, 17 Negro students, would graduate before their grades were integrated.

In a 21-page memorandum, Judge Taylor approved the school board's plan but said it precludes Negro students now in school from ever participating in specialized courses taught at Fulton High School, which offers trade courses.

He ordered the board to restudy this problem. and "present a plan giving Negro students who desire these technical courses an opportunity to take them."

According to figures given last week, Judge Taylor's ruling will make 83 Negro first graders eligible to enter 14 previously all-white schools. Only 17 Negroes were definitely scheduled to enter integrated school this Fall, however.

If the Negroes appeal, integration of the schools would be further delayed.

The stairstep plan, Taylor said, "would best fit the needs of the Knoxville area and at the same time implement the decision of the U.S. Supreme Court in the Brown (1954) case."

# Knoxville Plan OK'd By Court

## 83 Negro Pupils Will Be Integrated Under City Grade-A-Year Rule

By United Press International

KNOXVILLE, Aug. 19.—Federal Judge Robert L. Taylor Friday approved the city school board's grade-a-year plan which calls for desegregating Knoxville's all-white schools Aug. 31.

The ruling makes 83 Negro children eligible to enter 14 previously white schools when the fall term opens.

Judge Taylor held that the board's transfer provisions contained in the plan is an "administrative matter," which apparently leaves it up to the board.

### One Condition

The transfer provisions would allow a child to transfer within his school zone from a school in which his race is in the minority.

Judge Taylor made one reservation in his memorandum opinion. He said the plan is "deficient" in that it precludes Negro students now in school from ever participating in specialized vocational courses taught at Fulton High School.

Judge Taylor ordered the board to restudy the problem and come up with a plan in a reasonable time which will give Negro students who want technical courses the opportunity to take them.

Judge Taylor said the plan "seems to offer more safety and more assurance for an orderly progression toward a fully unified school ssytem." He said that under the plan "there is less danger of disorder — more hope of steady progress" than under a speedier plan.

He said that "when the risks, of which this court is cognizant, are taken into account" the plan seems to meet the tests of the United States Supreme Court.

### One Of Nine

The plan is one of nine studieds by the obard after attorneys for Negro children brought suit to desegregate the schools in 1956. It is similar to one in use in Nashville for three years.

The plan calls for desegregating one grade each year until all 12 are integrated, beginning with the first grade in the fall.

Judge Taylor's opinion is the result of a week-long hearing on the plan which ended Aug. 12. Attorneys for the Negro children argued the plan was too slow and that it would not grant relief to some of the plaintiffs.

"Perhaps the transition could be faster," Judge Taylor said. "Who can know? . . . In altering a school system, no one knows the load; there is no known factor of safety. Traditions, ways of thinking, aspirations, human emotions—all are involved."

### Reverse In Delaware

Apparently referring to the argument that some of the plaintiffs would not be admitted to previously all-white schools under the plan, Judge Taylor said, "If the transition is made successfully, these plaintiffs will have had a part. Moses saw the land of Judah from Mount Pisgah, though he himself was never to set foot there."

On July 19, a Federal appeals court turned down a similar plan for integrating public schools in Delaware. The Third Circuit Court of Appeals in Philadelphia ordered the Delaware school system to proceed with "full integration" of all grades in the fall of 1961.

Negro plaintiffs had complained that the grade-a-year plan was too slow. But it was the first instance in which the courts ruled against the program.

# STAIRSTEP PLAN FOR KNOXVILLE

## First Grade Integration This Year Ordered

KNOXVILLE, Tenn. (AP)—U.S. District Judge Robert L. Taylor Friday ordered integration of the first grade in Knoxville's city schools when classes begin Aug. 31.

The decision was a victory for the city school board, which had proposed a grade-a-year plan for integrating the schools. The board submitted the stairstep proposal in April at Judge Taylor's order.

The first grade is to be integrated this fall, and an additional grade each year until all 12 grades are integrated. A similar plan is already in effect in Nashville.

### TOO SLOW, SAY NEGROES

Negro attorneys had argued that this plan is too slow, and that their clients, 17 Negro students, would graduate before their grades were integrated.

In a 21-page memorandum, Judge Taylor approved the school board's plan but said it precludes Negro students now in school from ever participating in specialized courses taught at Fulton High school, which offers trade courses.

He ordered the board to restudy this problem, and "present a plan giving Negro students who desire these technical courses an opportunity to take them."

According to figures given during a hearing where arguments were presented last week, Judge Taylor's ruling will make 83 Negro first graders eligible to enter 14 previously all-white schools. Only 17 Negroes were definitely scheduled to enter integrated school this fall, however.

### APPPEAL WOULD DELAY

If the Negroes appeal, integration of the schools would be further delayed.

The stairstep plan, Taylor said, "would best fit the needs of the Knoxville area and at the same time implement the decision of the U.S. Supreme Court in the Brown (1954) case."

Judge Taylor said his guidepost on integration matters was the Sixth Circuit Court of Appeals, which upheld such a plan in Nashville.

Judge Taylor took the case under advisement last week following four days of argument by witnesses for the school board and the Negroes.

City school Supt. T. N. Johnston testified the plan was recommended because it would create "less tension, less fear and less emotional strain" among students and adults of both races.

# Knoxville Gets Grade A Year Desegregation

KNOXVILLE, Tenn. (UPI) — Federal Judge Robert L. Taylor approved the Knoxville school board's grade-a-year school desegregation plan Friday.

The ruling means that approximately 17 Negro first graders will enter the city's previously all-white school Aug. 31.

In approving the plan Taylor said that it "seems to offer more safety and assurance for an orderly progression toward a fully unified school system."

### DESEGREGATE YEARLY

Taylor said that "when the risks of which this court is cognizant are taken into account, plan nine seems to meet the tests laid down by the Supreme Court."

The plan Taylor approved was one of nine the board studied after attorneys for Negro children brought suit to desegregate the schools in 1956.

It is similar to one that has been in use in Nashville for three years. The plan calls for desegregating one grade each year, starting with the first this fall.

### RESULT OF HEARING

On July 19, a federal appeals court turned down a similar plan for integrating public schools in Delaware. The Third Circuit Court of Appeals in Philadelphia ordered the Delaware school system to proceed with "full integration" of all grades in the fall of 1961.

Negro plaintiffs had complained that the grade-a-year plan was too slow. But it was the first instant in which the courts ruled against the program.

Taylor's opinion is the result of a week-long hearing on the plan which ended Aug. 12. Attorneys for the Negro children argued that the plan was too slow and that the board did not act in good faith in planning for integration.

# Begin Integration, Knoxville Ordered

KNOXVILLE, Tenn. (AP) — A federal judge Friday ordered immediate integration of Knoxville's all-white schools on a grade-a-year basis.

U.S. Dist. Judge Robert L. Taylor's directive approved a plan submitted by the city school board, which provides for a gradual integration of classes.

The grade-a-year proposal, similar to one now in effect in Nashville, was submitted by the school board in April at Judge Taylor's order. The first grade is to be integrated when city schools open Aug. 31, and an additional grade each year until all 12 grades are integrated.

**ONLY 17 AFFECTED**

Only 17 students would be affected this fall under a tentative plan drawn up by the school board, which provides for 28 school districts on an integrated basis.

If the Negroes seeking complete integration appeal Judge Taylor's decision, however, integration of the schools would be further delayed.

Judge Taylor said his guide post on integration matters was the Sixth Circuit Court of Appeals, which upheld such a plan in Nashville.

After the sixth court's decision on the Nashville integration case, the U.S. Supreme Court also approved the plan.

**ARGUED 4 DAYS**

Judge Taylor took the case under advisement last week following four days of argument by witnesses for the school board and the Negroes, who seek to enter Knoxville's all-white schools. His directive Friday was in the form of a memorandum.

City School Supt. T. N. Johnston testified the plan was recommended because it would create "less tension, less fear and less emotional strain" among students and adults of both races.

However, attorneys for the Negroes contended that the school board picked the stairstep plan as a last resort and that it is too slow. They said their clients, 17 Negro students, would graduate before their grades were integrated.

## Knoxville Ready For Integration

KNOXVILLE (UPI) — Negro and white first graders will attend classes together here Wednesday when Knoxville becomes the third Tennessee city to integrate its schools.

An estimated 83 Negro children are eligible to attend about 14 of the city's previously all-white schools under an order issued in a memorandum opinion Aug. 19 and in a formal mandate Aug. 26 by Federal District Judge Robert L. Taylor.

The integration plan, submitted by the city school board and approved by Judge Taylor, is of the "stairstep" type similar to the plan under which Nashville schools were integrated in 1957. One grade a year, starting with the first, will become desegregated.

Oak Ridge city schools and the high school at Clinton, Tenn., were integrated in 1955 and 1956.

City Schools Superintendent Thomas N. Johnston said he expects Knoxville schools to start the fall session in "normal order." He said he anticipates no trouble. There was little, if any, organized opposition to the school board's integration plan.

## FORMAL ORDER ISSUED

### Knoxville Desegregation To Go Into Effect

KNOXVILLE, Aug. 26.—(UPI)—Federal Judge Robert L. Taylor Friday issued a formal order making official the city school board's grade-a-year desegregation plan which goes into effect Aug. 31.

The order Friday followed a memorandum opinion approving the plan issued last Friday.

The formal order directed the board to present a program "within a reasonable time" to give Negroes an opportunity to take vocational courses now offered only by Fulton High, a white school.

Local attorneys pointed out that the 1960 Civil Rights Act subjects any person who interfers with desegregation to a $1,000 fine, one year in prison, or both.

## School Plan Start Set for Knoxville

*By the Associated Press*

**Knoxville, Tenn.**

A federal judge has ordered immediate integration of Knoxville's white schools on a grade-a-year basis.

Judge Robert L. Taylor's directive approved a plan submitted by the city school board, which provides for a gradual integration of classes.

The grade-a-year proposal, similar to one now in effect in Nashville, was submitted by the school board in April at Judge Taylor's order. The first grade is to be integrated when city schools open Aug. 31, and an additional grade will be integrated each year until all 12 grades are integrated.

According to figures given during the hearing, Judge Taylor's ruling will make 83 Negro first graders eligible to enter 14 previously all-white schools. However, officials indicated earlier that in all probability only 17 Negroes were definitely affected by the ruling.

If the Negroes seeking complete integration appeal Judge Taylor's decision, however, integration of the schools would be further delayed.

# 'Smooth' Is Word For Integration Of Knoxville 1st Grade

By Garry Fullerton

*Special to The Christian Science Monitor*

**Knoxville, Tenn.**

Knoxville city schools quietly desegregated the first grade Aug. 31, as 28 Negro children enrolled in eight formerly white schools.

City police were stationed at each school, while others toured in patrol cars, but not a single incident was reported as the court ordered integration began under a plan virtually identical to Nashville's grade-a-year plan.

Mrs. Tom C. Prince, principal of Bell House Elementary School, voiced the relief of most school authorities when she said: "Everything went so smoothly, this is the easiest registration day we've ever had."

**Courteous, Even Cordial**

Superintendent Thomas N. Johnston said: "We're looking forward to a very good school year. Things have gone exceptionally smoothly, and everybody's been treated with courtesy and understanding."

Negro parents were obviously apprehensive as they walked to school with their youngsters in the 90-degree heat. Many of them were accompanied by ministers or other community leaders, and one mother whispered to the Rev. Frank Gordon:

"You'll have to hold my hand. I'm scared."

The fears gave way to smiles, however, as parents and children were greeted politely and even cordially at the schools. At one school, enthusiastic Parent-Teacher Association workers waved application blanks and signed up two of the Negro mothers almost before their children were registered.

**About 60 Eligible**

The Rev. Mr. Gordon, chairman of the education committee of the Knoxville chapter of the National Association for the Advancement of Colored People, estimated that 50 to 60 Negro children were eligible to attend white schools under the Board of Education plan, approved by the court. Mr. Johnston had guessed about 88, but Mr. Gordon said:

"I made a house-to-house canvas of most of these areas in person. I don't see where there can be more than 50 to 60. I think we've registered between a third and a half of those who are eligible."

Mr. Gordon said he was disappointed, however, that two Negro boys were refused permission to take technical courses at Fulton High School. The two were told by William M. Davis, the school principal, that he had received no instructions from the board to admit Negroes.

**Inequity Noted**

United States District Judge Robert L. Taylor noted in his opinion approving the grade-a-year plan that some courses taught at Fulton were not available to Negroes at Austin, the Negro high school. He instructed the board to come up with a plan "within a reasonable time" to provide such instruction for Negroes, but did not specify whether it should be on an integrated or segregated basis.

No white children applied for admission Aug. 31 to any of the six Negro schools the superintendent said might be affected by the desegregation. Presumably all asked for transfers to predominantly white schools.

**Registration Up**

All told, 19,884 pupils registered Aug. 31, about 400 more than the first day of school last year. About 5,000 of them are Negroes.

Knox County schools, which desegregated the first grade in a surprise move Aug. 30, still had no Negroes in white schools yesterday. As far as could be learned, none planned to apply, although school board chairman Hop Bailey said they would be allowed to transfer, if they wished.

## Knoxville Negroes Want Another Trial

### Plaintiffs Are Dissatisfied Over Transfer Provisions

KNOXVILLE, Sept. 6.—(UPI)—Negro plaintiffs in the city schools integration suit, dissatisfied over transfer pro-

visions in the court-approved grade-a-year desegregation plan, have filed a motion for a new trial in Federal Court.

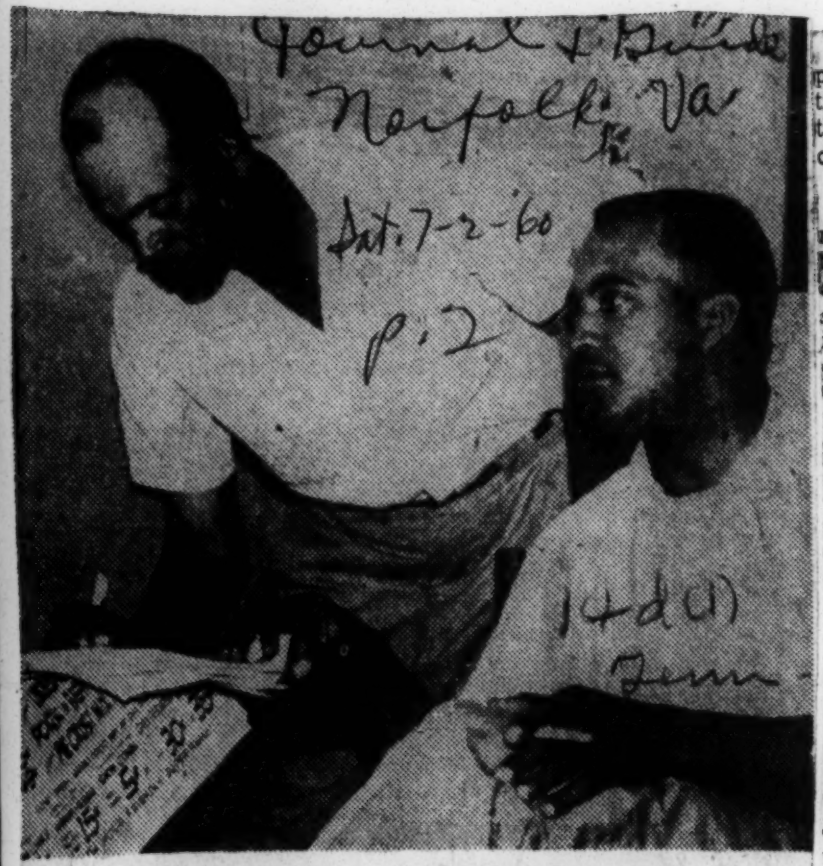
"The main purpose and effect of the provisions for free transfer was to afford a means to continue segregated schools for an indefinite period of time," the Negroes charged in their motion, filed late Friday in Federal Court, which reopened Tuesday after the long holiday weekend.

Twenty-nine Negro first graders were registered in eight schools last week under the plan, similar to one now in its fourth year of operation in Nashville.

The new trial motion contends the full details of the transfer provisions were not disclosed until after Federal Judge Robert L. Taylor approved the plan.

The plan provides that if a student finds himself, because of new school zones, attending a school where his race is in the minority he has a right to transfer back to his old school where his race is in the majority.

The Negroes contend the transfer provisions violate the 14th Amendment of the Constitution which guarantees all citizens equal rights and protection by law.



## In Tennessee: A Fight For Life

Elmore Clayborn signs letters to the Fayette County (Tenn.) Board of Education requesting desegregation of schools. Allen Yancey, Jr., seated, math teacher fired for leadership in the vote fight, is spearheading this effort and says a suit will be filed if the board does not give a satisfactory answer within a reasonable length of time.

Meanwhile, colored citizens in the area have been subjected to merciless economic squeeze because some of them dared to ask for basic human rights—the right to vote, for instance.

# Chattanooga To Study Integration Petition

By United Press International

The Chattanooga, Tenn., school board will meet soon to study a suit filed Wednesday by four Negro parents seeking racial integration of city schools.

Commissioner S. Dean Peterson, head of the Department of Education at Chattanooga, who was named as one of the defendants, said, "the school board will be called together at the earliest convenient time. . .to discuss the suit and to determine the procedures to be followed."

R. H. Craig, a Chattanooga attorney, who filed the suit in federal court, called on city school authorities to "cease operating a compulsory bi-racial system in Chattanooga and. . .comply with the decision of the Supreme Court" in cases involving the desegregation of schools.

SUPERIORITY THEORY

The suit charges further that the school system is "predicated on the theory that Negroes are inherently inferior to white persons and consequently may not attend the same public schools attended by white children who are superior."

In Nashville, Tenn., Negro leaders hoped to meet with downtown businessmen today to begin negotiations over segregation at store lunch counters.

The Rev. Kelly Miller Smith, president of the Nashville Christian Leadership Council, called for the meeting to "bridge the chasm" between the two groups.

RECOMMEND TRIAL PLAN

A bi-racial committee recommended a plan setting up one section of lunch counters for whites and another section for integrated seating. The plan would be put into effect on a trial basis for 90 days, and if it worked, all charges would be dropped against approximately 150 Negroes arrested during sitdown demonstrations in Nashville.

Thurgood Marshall, chief legal counsel for the National Association for the Advancement of Colored People, called on Negro adults to back students in their demonstrations protesting segregated lunch counter eating facilities.

Marshall told a cheering crowd at a NAACP drive in Nashville that they should help the young demonstrators by registering to vote and by economic boycott.

"There is no politician in Nashville who would not let a Negro if he had enough votes along with him, drink a cup of coffee," Marshall said.

# Negroes Turn Down Grade-A-Year Plan

## Suit Filed To Desegregate Knoxville Schools

KNOXVILLE, April 18.—(UPI)— Federal Judge Robert L. Taylor was asked by attorneys Monday to toss out a grade-a-year school desegregation plan and open up the city's presently all-white schools to their 17 Negro clients this fall.

In objections filed in Federal Court, the attorneys said the city school board's plan is too slow and a part of it would "perpetrate racial segregation."

The plan was approved by a 4-1 vote by the board April 5 and submitted to the court April 8 in compliance to an order by Judge Taylor.

The plaintiffs said the plan to desegregate first grades this fall would affect neither them nor other Negroes now in the schools.

The attorneys for the Negroes said that the plan provides that racial factors could be used as grounds for a transfer from one school to another and that this would perpetrate segregation.

The plaintiffs renewed their request for a temporary restraining order and preliminary injunction against the board to halt segregation by the fall school term.

They asked for a hearing on their motion for these orders "at an early date." The plea was taken under advisement.

# 9 lawyers request injunction

MEMPHIS (ANP)—Nine colored attorneys, representing the parents of 18 colored students of Memphis city public schools, filed a suit in local district Federal court, about 11:30 a.m. Thursday requesting complete desegregation of all city public schools.

This is the first suit that has been filed against the public school system here since the Supreme Court's 1954 decision.

Named as defendants in the case were president of the Board of Education Walter B. Armstrong; Supt. E. C. Stimbert, and the four board members.

The attorneys, in their petition are requesting that the court issue "a permanent injunction enjoining the local board of education from continuing to pursue policy, practice, custom and usage in operating a compulsory bi-racial (segregated) school system in violation of rights secured to Negro students by the Constitution and laws of the U.S."

* * *

**THE BRIEF** stated that the parents of the students petitioned the Board of Education on Dec. 10, 1959 to comply with the United States Supreme Court's desegregation ruling. And again on Feb. 8, appeared before the School Board requesting desegregation, however, the "Board has failed and refused to take any steps to eliminate segregated schools. The Board refused to present a plan for working toward desegregation."

The attorneys went on to state in their brief that "the board of Education has not exhausted its administrative remedy provided by Tennessee's Pupil Assignment Law." The attorneys also stated that the Board of Education does not make available to Negro students a similar school curriculum as white students. "Some studies are provided for white students only."

"The attorneys indicated that they would be willing to study any plan for school desegregation that might be offered by competent authorities.

Attorneys representing the students are: A. W. Willis Jr., Russell B. Sugarmon, H. T. Lockard, Ira H. Murphy, Constance Baker Motely of New York; and Thurgood Marshall of New York, and Ben L. Hooks.

# 6% of South's Negroes Attend Mixed Schools

NASHVILLE, Tenn.—Six per cent of the three million Negroes enrolled in the South's public schools are attending classes with whites this school year, Southern School News reported in its April issue.

In the sixth school term since the U.S. Supreme Court declared school segregation unconstitutional, 524,425 of the Negro students are in integrated school districts. An estimated 182,104 of these actually attend classes with whites.

The 17 Southern border states, plus the District of Columbia, have 3,039,133 Negroes and 9,901,310 whites enrolled.

# NO NEGRO PUPIL ASKS TO ENROLL

KNOXVILLE, Tenn. (AP)—Knox county opened the first grades of its white schools to integration Tuesday but no Negroes attempted to register. Twelve Negro pupils tried unsuccessfully to enroll in higher grades at a suburban white schools.

In a surprise move, the county school board announced Monday night it would open the county system Tuesday on a grade-a-year integrated basis. The action was voluntary.

Knoxville schools open Wednesday with integration on the first grade level. The grade-a-year plan, calling for desegregation of the first grade this year, the second next year, etc., has been approved by US Dist. Judge Robert L. Taylor.

In announcing the county board's decision to follow the city plan, chairman Hop Bailey said:

"We are not inviting integration, but we were preparing for it if it did come."

He also said board members felt it was better to adopt an integration program than to "get involved in a series of lawsuits."

# Knoxville Ready For Integration

KNOXVILLE, Tenn., (AP) — Knox County opened the first grades of its white schools to integration Tuesday but no Negroes attempted to register. Twelve Negro pupils tried unsuccessfully to enroll in higher grades at a suburban white school.

In a surprise move, the county school board announced Monday night it would open the county system Tuesday on a grade-a-year integrated basis. The action was voluntary.

Knoxville schools open Wednesday with integration on the first grade level. The grade-a-year plan, calling for desegregation of the first grade this year, the second next year, etc., has been approved by U.S. Dist. Judge Robert L. Taylor.

In announcing the county

board's decision to follow the city plan. Chairman Hop Bailey said:

"We are not inviting integration, but we were preparing for it if it did come."

# 28 Negroes In 1st Grades At Knoxville

## Integration Peaceful; Houston Loses Round

From Wire Dispatches

The Knoxville, Tenn., school system peacefully accepted 28 Negro first-graders into previously all-white schools yesterday.

Texas Governor Price Daniel dashed what Houston school officials called their last hope to stave off integration of first-graders when the new school term opens next week.

"The State has no authority to interpose in a lawsuit of this nature," Daniel said of the Federal Court order to integrate the first grade September 7.

Three Negro families tried to enroll their children in two white Houston schools but were turned back under a school-system rule that all children of the same family muts atend the same school. The Negro families all have other children attending Negro schools.

### 3 Cases Scheduled Today

The Houston school-integration case is one of three scheduled to come before the United States Supreme Court today. Houston, the State of Delaware, and Louisiana Governor Jimmie Davis — in behalf of New Orleans schools — are asking the high court to delay Federal Court integration orders.

The Dollarway School at Pine Bluff, Ark., apparently will have one Negro first-grader when the white school opens Tuesday. The U. S. Court of Appeals in St. Louis ordered 6-year-old Delores Jean York assigned to Dollarway.

Police said the integration at Knoxville under the grade-a-year plan approved by federal courts was accomplished without incident.

### Protest 70-Mile Trip

It was a different story in Dunn, N. C., where seven Indian children showed up at the town's all-white high school and staged a classroom sit-in. The students have been denied admission to the all-white school and have protested a daily 70-mile round trip to segregated schools in the area.

# Integration Move 'Leaks Out'

By Garry Fullerton

*Special to The Christian Science Monitor*

Knoxville, Tenn.

Knox County became Tennessee's first school system to desegregate without a lawsuit Aug. 30, but Negro leaders, caught by surprise, took no advantage of it immediately.

The Board of Education decided Aug. 26 to allow Negro first graders to attend white schools, provided they lived closer to them than to Negro schools, but the decision was not made public until Aug. 30, the morning of registration.

### Hope for Little

No first graders attempted to register at white schools, but 12 older Negro children applied at one school and were turned down.

Hop Bailey, Knoxville real estate man and chairman of the board, said frankly no announcement would have been made at all if a news agency had not heard about the development and called him.

"We weren't trying to invite integration," he said, "and we hope there won't be much of it. We just wanted to prepare for it if it comes." The board's decision followed close on the heels of an opinion by United States District Judge Robert L. Taylor ordering Knoxville city schools to desegregate, beginning with the first grade this fall. City schools' registration was scheduled to begin Aug. 31.

Meanwhile in Nashville Aug. 30, 157 Negro children entered the first four grades in 10 formerly all-white schools, as the city began the fourth year of its grade - a - year desegregation. School officials were surprised at the number, about four times as large as last year's, and forecast it may go even higher as late registrations come in.

The Knox County desegregation would not amount to very much even if it were complete. Negroes make up only about 1 per cent of the school population—375 out of an estimated 35,000. There are only 41 Negro first graders.

Miss Mildred Doyle, county superintendent of schools, said some Negroes may apply later for admission to the white schools. If so, she said, their cases "will be taken care of at that time."

The county operates eight Negro elementary schools, five of them one-teacher schools and the others two-teacher schools. Grades one through eight are taught in each school.

### Buses in Use

About 75 Negro high school students are taken by bus into Knoxville for classes, since the county does not operate a Negro high school.

Desegregation in the city schools is expected to be more extensive, Negro leaders said.

The Rev. Frank Gordon, chairman of the education committee of the Knoxville branch of the National Association for the Advancement of Colored People, said he is positive that Negroes will enter four schools and considers two others likely prospects.

T. N. Johnston, Knoxville superintendent, said as many as 15 of the city's 28 elementary schools could be affected by the desegregation.

# Negroes Seek Integration In Tennessee

NASHVILLE, Tenn. (AP)—Parents of several Negroes filed an integration suit in Federal Court Monday against the Davidson County School Board and Supt. J. E. Moss.

The suit asked the court to require admission of the Negro children to several all - white schools. It was the first integration suit involving county schools, although schools in the adjoining Nashville area began integration in 1957.

The complainants asked Judge William E. Miller to require the school board to present a complete plan for integrating county schools.

The suit asked specifically that children of the complainants be admitted to Glencliff Junior High, Antioch High and Bordeaux elementary school. The last-named school was destroyed by fire several days ago and is holding classes in temporary quarters.

The suit was filed by lawyers representing the National Association for the Advancement of Colored People.

# Suit Demands School Mixing

NASHVILLE, Tenn. (UPI) — A federal court suit was filed here Monday seeking desegregation of Davidson county schools.

The county school board earlier this month had refused to admit six Negroes who sought to enter two all-white county schools. The suit had been expected to be filed after the board turned down the Negroes' request.

Nashville city schools are in the fourth year of a one-grade-a-year desegreation plan, but county schools have remained segregated.

Judge William Miller set a preliminary hearing on the case for Friday.

The suit, filed in behalf of a group of Negroes, asks Miller to direct the county school board to present a complete plan "for a unitary, non-racial school system" in a period of time to be determined by the court.

It also asked the court to restrain the board and school Supt. J. E. Moss from refusing to admit Negroes to schools operated by the county.

# Integration Order Issued To Nashville

NASHVILLE, Tenn. (AP) — A federal Judge directed the school board Monday to come up with a workable desegregation plan for county schools by Oct. 19.

District Judge William E. Miller gave the board a little over three weeks to file the plan with the court after attorneys argued that immediate desegregation would 'disrupt' the school system.

Attorneys for several Negro parents requested immediate integration, specifically at three schools and removal of segregation bars at all county schools.

**STAIRSTEP PLAN**

Judge Miller approved the grade-a-year stairstep plan for Nashville city schools in 1957, a plan later approved by the Supreme Court. Under that plan mixed classes started in the first grade at several city schools three years ago and now include the first four grades.

"The (county) school board has not been acting in bad faith," Judge Miller said. "Perhaps they are guilty of some delay. I'm sure the board will come up with a plan acceptable to both races and give these people their legal rights."

The school board contended there had been no Negro applicants for enrollment in mixed classes prior to the start of the fall term Sept. 2.

**COURT POSITION**

The board's attorney, Harlan Dodson, told Judge Miller the board members "recognize the opinion and position of the U.S. Supreme Court on desegregation'" but they wanted time to prepare an orderly plan.

Judge Miller said he would rule later on a request by Negro attorneys for a complete reorganization of the county school system, including teachers, principals and other personnel. He said he would need more time to study the legal points involved.

## 'Extra-Gradualism' Lag

# School Integration Surveyed

By Garry Fullerton
*Special to The Christian Science Monitor*

**Knoxville, Tenn.**

Grade-a-year school desegregation plans, such as Nashville's carry with them a kind of "extra-gradualism" because of Negro parents' reluctance to send younger children to integrated schools while the older children continue in segregated schools.

This is one of the principal conclusions of a pioneer study of Negro attitudes toward desegregation recently completed by Dr. Eugene A. Weinstein, a Vanderbilt University sociology professor.

The preliminary results of Dr. Weinstin's study, made public at the annual meeting of the Tennessee Council of Human Relations here, also show that Negro parents who choose to send their children to integrated schools are on the average better educated, better adjusted, and more aggressive than those who do not.

**88 Families Surveyed**

Dr. Weinstein surveyed 88 Negro families affected by Nashville school desegregation which has now reached the fourth grade. Fifty of the families had chosen to send their children to segregated schools, 27 had chosen integrated schools, and the others had started the children in an integrated school but subsequently transferred them to segregated schools.

The actual interviewing of Negro parents was done by a Negro woman who, Dr. Weinstein felt, probably was better able to gain their confidence than he would have been. In no case did the parents refuse to cooperate with the study.

The "extra-gradualism" of the plan shows up in the reasons the 50 families gave for choosing the segregated rather than the integrated schools. By far the greatest number (19) said they did not want to separate the "younger children from their older brothers and sisters who were attending the segregated schools and, under the plan's provisions, not eligible to attend the integrated schools.

**Other Reasons**

Other reasons given for choosing the segregated schools included:

¶ Desire for child to remain with children of his own race (10).

¶ Fear of harmful effects of integration on child (4).

¶ Desegregated school further from home (4).

¶ Poor class of children in integrated schools (3).

¶ Fear of violence to family (3).

Although Dr. Weinstein did not point it out in his report, the "extra-gradualism" feature will, of course, disappear in time. As the upper grades become desegregated under the Nashville plan, and as the Negro childrened now in integrated schools progress to the higher grades, their younger brothers and sisters will tend to go to the integrated schools.

On the other hand, two-thirds of the parents who sent their children to the integrated schools said they did so because the integrated school was closer to the home (18 out of 27). But, says Dr. Weinstein, this is probably more than a mere matter of convenience.

"There is a kind of militancy in the very simple response 'It's closer,'" he said. "I believe the desire to overcome having to accept inconvenience because of race, rather than greater convenience per se, is the main import of this answer."

Other reasons the parents gave for sending their children to integrated schools included a desire for the child to have a desegregated education and a desire to help "support" the Supreme Court decision.

The families who first enrolled their children in integrated schools, then transferred to segregated schools, did so for various reasons. Three said the child was upset by his experience in the integrated school. Three had simply moved and were no longer in the zone for the integrated school. Two said outside pressures had been brought to bear.

Dr. Weinstein is not sure whether the results of his study will be borne out even in other cities which have adopted the Nashville plan. Furthermore, he said, Negro attitudes probably have been sharply modified by the social revolutionary character of the sit-in movement throughout the South. At least part of the fourfold increase in Negro enrollment in integrated schools in Nashville this fall can be attributed to this change, in his opinion.

# Davidson County Must Desegregate First 4 Grades

NASHVILLE, Tenn. — (SNS) — Davidson County has been ordered by Federal Judge William E. Miller to desegregate the first four grades in January and add a grade year starting next September. Judge Miller ordered Nashville's grade a year desegregation four years ago.

"We have in this area a plan of gradual desegregation which, according to testimony, has worked well for the city of Nashville," Miller stated. "According to city school Superintendent William H. Oliver, it is a wise plan and a feasible plan."

**It is estimated that 350 Negro** children will be eligible to attend the first four grades beginning on January 20. The county had already proposed a grade a year plan but officials had asked a delay until next September. Officials said a change in mid-year would disrupt the school system.

# NEGRO PUPILS ADMITTED TO 27 SCHOOLS IN TENNESSEE

Nashville, Tenn. Nov. 15 — Integration forces won another victory here last Thursday when the Davidson County School Board decided to fall in line with the City school desegregation program, and admit Negro pupils to the first four grades of 27 County schools.

The City "grade-a-year" desegregation program has been in effect four years, and Thursday's action by the Davidson County board means that it will admit Negroes to formerly all-white schools at beginning of the Spring semester, Jan. 15.

Action by the County board was in compliance with the ruling of Federal District Court Judge William E. Miller, who decreed that integration start with the first four grades in January, and after that, to be further desegregated on the grade-a-year plan now being followed by city schools.

Following the announcement by the County board that it will not appeal Judge Miller's ruling, Z. Alexander Looby, associate counsel for the Negro plantiffs said he did not think they would appeal either.

J. E. Moss, county schools superintendent, said about 353 Negro students will be eligible to attend formerly all-white schools in January.

"We are not going to appeal we are just going to work," said E. D. Chappell, board chairman, after the board's regular weekly meeting.

Shelton Luton, county attorney, told the school board, "I advise you to prepare for intregration."

Board members Frank White, Chappell and Aubrey Maxwell expressed concern over one part of the lawsuit on which the court did not rule. This would require the integration of school teachers and supervisory personnel.

In handing down his ruling, Judge Miller ordered:

The complete elimination of any racial discrimination in any of the county's summer schools conducted for exceptional or outstanding students eligible to enroll in such schools and teachers assigned to the schools be notified of the court order.

Davidson County school authorities to notify all parents in the zones in which eligible students live before the beginning of the school year.

However, Judge Miller reserved ruling on a motion by attorneys for the county to strike from Negro plaintiffs' petition a request for a court order directing the county to present a complete plan for reorganization of the schools into a unitary, nonracial system, including pupil and teacher assignment and appropriation of funds.

The reorganization proposal is regarded as the most far-reaching request made by plaintiffs and a departure in this respect to the Nashville plan.

Miller called for briefs on this point. Harlan Dodson, Jr. and Luton, representing the county schools, were given three weeks to file their brief. Looby and Avon Williams, attorneys for the plaintiffs, were given 10 days to file their reply brief.

The court also retained jurisdiction of the case "during the period of transition."

"The grade-a-year plan is the one plan that is truly workable, and has been tested and shown to be."

The following 27 county elementary schools are in the area affected by the desegregation order:

Antioch, Margaret, Allen, Amqui, Bordeaux, Brick Church, Donelson, Dupont, Goodlettsville, Gower, GraMar, Harpeth Valley, McGavock, Mount View, Inglewood, Andrew Jackson, Neely's Bend, Joelton, King's Lane, Old Center, Percy Priest, Robertson Academy, Schwab, Stratton, Turner, Tusculum, Una, and Whitsett.

Williams said in his final argument for plaintiffs that the school board was duty-bound to start work on a segregation plan when the U. S. Supreme Court acted in 1954, but they took no action.

He said the Negro plantiffs "have an immediate right to their Constitutional rights."

# Educator Reports Nashville Mixers 'Not Doing Well'

NASHVILLE, Tenn. (AP) — Davidson County Schools Supt. J. E. Moss testified in district federal court this week that Negro students transferring to previously all-white Nashville schools "are not doing well, scholastically and emotionally."

Moss said he had studied the records at two desegregated Nashville schools and found that five of seven Negro fourth graders in one school are failing. None of the 23 white students in the same classes are failing, he said.

At the other school, Moss said two of the three Negro students are not doing well but a third is doing satisfactory work.

# Integration Pushed in Tennessee

NASHVILLE, Tenn. (UPI)—Federal Judge William Miller Thursday ordered Davidson County schools to integrate the first four grades next January and then continue the desegregation at the rate of one grade a year.

Miller's ruling came at the end of a hearing on a plan proposed by the County Board of Education.

The ruling applies to Davidson County outside the city of Nashville, the county seat. Nashville integrated its first grade in 1957.

The board had asked Miller to approve a grade-a-year plan but to let it start next fall with the first grade.

In making his ruling Miller took note of local conditions. The county's proposed plan is the same as the city plan which began in 1957.

In ordering the first four grades to be desegregated "all at one time" Miller said that will "equalize the (county) plan with the city of Nashville."

He said he thought it was important that the city and county plans go along together.

# Negro Parents Being Coerced, Official Claims

From The Commercial Appeal Nashville Bureau

NASHVILLE, Nov. 18.—Nashville School Supt. W. H. Oliver has reported that Negro parents here are being pressured into sending their children to predominately white schools.

Mr. Oliver told the city Board of Education that in his opinion Negro enrollment in heavily white schools has increased because "integrationists have gone to the homes of a considerable number of Negro parents and urged them to send their children to predominately white schools."

Negro enrollment in 10 largely white schools, the superintendent said, now stands at 187, compared to 159 at the beginning of the school year and an average of about 45 last year.

"As a consequence of this action on the part of integrationists," Mr. Oliver said, "we now have in some of our predominately white schools some Negro children who are very unhappy and who for this reason are not achieving normal success in their school work."

He said he has received reports indicating that the type of persuasion exerted on Negro parents by integrationists "has been forceful and in some cases have approached coercion and intimidation."

Mr. Oliver Friday declined to give examples of such persuasion, saying his report to the board was in writing and he had rather not add to it.

The grade-a-year school integration plan here is in its fourth year.

Coyness L. Ennix, Negro member of the Board of Education, said of the alleged pressure, "There are over 400 Negro children who live in the zones for those (10) schools and only 187 are actually attending them. If there has been coercion and intimidation, apparently it isn't very effective."

Mr. Oliver said his information indicates that some of the integrationists who have been urging Negro parents to send their youngsters to predominately white schools are Negroes and some are white.

# Tennessee Judge Orders Mixing

NASHVILLE, Tenn. (AP) — A federal judge Thursday ordered the Davidson County School Board to desegregate the first four grades of public schools next January and add one more grade a year, starting next September.

The order was handed down by Judge William E. Miller, who also directed the start of desegregation in Nashville city schools four years ago. Mixed classes now operate in the first four grades of city schools.

"If the problems (of the two school systems) are substantially similar," Judge Miller said, "we have a precedent to guide in the matter.

"We have in this area a plan of gradual desegregation which, according to testimony, has worked well for the City of Nashville.

# Integration Suit Demands Teachers On Non-Racial Base

NASHVILLE, Tenn. —(AP)— A hearing is scheduled Monday on a federal court suit asking integration of Davidson County schools and assignment of principals and teachers on a non-racial basis.

The suit, filed Monday, was prompted by the recent refusal of the county school board to admit Negroes to a county high school, a junior high and an elementary school.

The suit was filed by parents of 12 Negro children listing the board as defendant. The county has 78 white schools and seven Negro schools including one Negro high school.

The only information available on the result of such integration is a study made five years ago indicating that nearly every school in the county would be affected.

Frank P. White, chairman of the county school board, said the suit will be discussed at the board's regular meeting Thursday. "But we don't know yet what we're going to do," he said.

Suits filed early this year in Memphis and Chattanooga also demanded teacher integration. The Memphis case has not been tried. At Chattanooga, Judge Leslie R. Darr ruled May 5 that teacher assignment could not be an issue. He said no pupil rights could be affected by teacher assignments.

## Mix teaching staff, asks Nashville suit

NASHVILLE, Tenn. — A suit has been filed in Federal court here calling for reorganization of the Davidson County School System, including the assignment of principals and teachers as well as pupilson a non-racial basis.

The suit was brought against the county board of education by 12 children and their parents after the board refused to admit the children three schools on Sept. 8.

# 14,000 More Negroes Join White Pupils

NASHVILLE, Tenn., Dec. 5 (AP)—The number of Negroes attending public schools with white children in Southern and border states has increased more than 14,000 this year over last, the Southern Education Reporting Service said today.

The 195,625 Negroes attending desegregated classes represent 6.3 per cent of the Negroes enrolled in the 17 states and Washington, D. C., the Service said.

The figure was contained in the Service's semiannual statistical summary of developments arising from the U. S. Supreme Court's 1954 decision on school segregation.

The Service said the proportion of Negroes attending biracial classes in the region this year was about the same as in the 1959-60 school year. Total Negro enrollment was reported at 3,020,727 and white 10,165,246.

Most of the desegregated Negroes, 194,849, live in Delaware, Kentucky, Maryland, Missouri, Oklahoma, Texas, West Virginia and Washington, D. C., the Service said. The remainder, 776, reside in Arkansas, Florida, Louisiana, North Carolina, Tennessee and Virginia.

With the start of desegregation in New Orleans, Alabama, Georgia, Mississippi and South Carolina remained the only states with complete segregation extending from elementary grades through college.

Although the over-all number of school districts decreased through consolidation in the 17 states, the number of desegregated districts increased from 749 last year to 777.

The Service also reported:

- Public school faculties remained segregated in nine states, while eight states and Washington, D. C., had some degree of faculty desegregation.
- Of the 277 institutions of higher learning in the 17-state region, 153 would accept students of either race.

# Judge Refuses To Postpone Deadline For Mixing Plan

CHATTANOOGA, Tenn. (AP)— U.S. Dist. Judge Leslie Darr declined Wednesday to delay further the Dec. 20 deadline he ordered for the city school board to present a plan of racial desegregation.

"The only reason assigned for the delay is that the time is not ripe," the judge wrote in denying the board's motion to withhold his order pending an appeal.

The school board announced earlier that it would be ready with the plan, as ordered, if Judge Darr rejected the motion for a stay. A hearing will be conducted on the plan Jan. 9.

**SCHOOL SYSTEM**

Attorneys for the group of Negroes which filed suit last February seeking total desegregation of the school system here filed Tuesday a petition opposing postponement of the deadline.

Declaring that there was no valid reason for the delay, the Negroes declared that should the appeals court in Cincinnati reverse Darr's order the board "will not have been harmed by the requirement of having submitted a plan."

The judge ordered the board to proceed with its plan with the stipulation that he would amend the order if the court of appeals made it necessary.

The judge earlier had rejected the board's contention that it had complied with the U.S. Supreme Court's 1954 desegregation ruling by making arrangements for eventual racial integration here.

"More than five years have elapsed since the board acknowledged its responsibility under the law and set forth to "work out a desegregation plan," the judge ruled today. "It seems fair to say that the time element favors the plaintiffs (Negroes)."

When the board submits its plan, the judge ruled, it "will be doing what (it) will ultimately be required to do. . . and the only reason assigned for the delay is that the time is not ripe."

# More Negro Students At Integrated Schools

NASHVILLE (UPI) Southern School News reported Monday that 195,625 students of a Negro enrollment of more than three million are attending integrated schools in 17 Southern and border states.

The figure is an increase of 14,605 over last year, said the monthly publication of the Southern Education Reporting Service. The Negroes with white classmates make up 6.3 per cent of the 3,097,534 Negroes enrolled in the 17 states and the District of Columbia, the report said. White enrollment is 10,165,246.

The proportion of Negro students attending schools with whites is about the same as last year when the region's Negro enrollment was 3,020,727.

Nearly all the Negro enrollment is in seven border states and the District of Columbia. All but 776 of the Negro students in integrated classes attend school in the District, Delaware, Kentucky, Maryland, Missouri, Oklahoma, Texas or West Virginia.

In Arkansas, Florida, Louisiana, North Carolina, Tennessee and Virginia, Negroes form one per cent or less of the enrollment in integrated schools.

North Carolina, which had 34 Negroes attending classes with whites last year, reported 82 this year. In Tennessee, the number increased from 169 to 342 and in Virginia the figure was up from 103 to 208.

There was a decline in the number of Negroes attending integrated schools in Florida. Last year, Florida's Negro enrollment in bi-racial classes was 512, but it dropped to 27 this year.

# Desegregate Teachers, Nashville Suit Asks

## Reorganization Of School System Is Object Of Action

NASHVILLE — (ANP) — A sweeping reorganization of the Davidson County school system, including assignment of principals and teachers as well as pupils on a nonracial basis, was demanded in a suit filed here last week.

The federal court suit, brought against the county board of education by 12 Negro children and their parents, was prompted by the board's refusal Sept. 8 to admit Negroes to Antioch High School, Glencliff Junior high school and Bordeaux Elementary schooly.

Frank P. White, chairman of the board and one of the defendants named in the suit, said:

"We don't know yet what we're going to do." "We haven't even been served with the papers. All we know about the suit is what we've heard from reporters."

The Negro plaintiffs asked the court to enjoin the board and Supt. J. E. Moss from refusing to admit the children "and other persons similarly situated" to the three schools.

They also asked that compulsory segregation in the country scools be declared unconstitutional and void and that the court order the board to submit a plan for the reorganization of the school system on a non-racial basis.

## Nashville Parents File Suit to Integrate Principals-Teachers Along With Students in County

### "We Don't Know Yet What We're Going to Do," Says Chairman of School Board

### Third Suit of Its Kind On File in South

NASHVILLE.—(ANP)—A sweeping reorganization of the Davidson county school system, including assignment of principals and teachers as well as pupils on a nonracial basis was demanded in a suit filed here last week.

The federal court suit, brought against the county board of education by 12 Negro children and their parents, was prompted by the board's refusal Sept. 8 to admit Negroes to Antioch high school, Glencliff junior high school and Bordeaux elementary school.

Frank P. White, chairman of the board and one of the defendants named in the suit, said:

"We don't know yet what we're going to do. We haven't even been served with the papers. All we know about the suit is what we've heard from reporters."

The Negro plaintiffs asked the court to enjoin the board and Sup'. J. E. Moss from refusing to admit the children "and other persons similarly situated" to the three schools.

They also asked that compulsory segregation in the country schools be declared unconstitutional and void and that the court order the board to submit a plan for the reorganization of the school system on a non-racial basis.

Judge William E. Miller is to hear the motions for a temporary restraining order and preliminary injunction.

The suit was the third of its type in Tennessee to mention integration of school faculties as well as student bodies. Suits filed in Memphis and Chattanooga last March and April also demanded teacher integration.

The Memphis case has not yet been tried, but in Chattanooga, Judge Leslie R. Darr ruled May 5 that teacher assignment could not be an issue in the case there. In a memorandum opinion, he said no pupil rights could be affected by teacher assignments.

"The equal protection of the laws for the minority group would not require a change in the white schools for good or for bad, but would permit the Negro children to attend school with white children with equal conditions, present and future," Darr ruled.

## Schools Open Without Clash

NASHVILLE (AP) — Southern School News noted Wednesday that for the first time since the Supreme Court's desegregation ruling in 1954 the South's public schools opened this fall without violence.

"Major violence, ranging from boycotts and mob action to bombings, has marked the school openings in the region for the previous six years," the publication said.

Southern School News reports developments in desegregation on a factual and impartial basis.

It said Houston, Tex., the nation's largest segregated school system, admitted 11 Negroes to mixed classes for the first time this fall. That change left Dallas as the Nation's largest dual school system.

Virginia desegragated five districts this fall, the most reported by any state.

Altogether, the publication reported, 768 Southern and border school districts operated on a desegrated basis at the start of the fall term, 17 of them for the first time.

## Chattanooga Board Offers Mixing Plan

CHATTANOOGA (AP) — The Chattanooga school board proposed Tuesday to admit Negro and white students to the same first, second and third grade classes at selected schools beginning in the fall of 1962.

This start toward desegregation of the city school system was contained in a plan submitted or orders of U.S. Dist. Judge Leslie R. Darr. The judge previous said he will hear arguments on the plan Jan. 9.

The plan is similar to the so-called Nashville grade-a-year plan —also in effect in Knovcille and Knox County schools—with the exception that the start would be made in three grades instead of one.

An additional grade would be desegregated each year until Negores and whites were admitted to classes without regard to race through the senior year in high school—in 1971.

**TWO QUALIFICATIONS**

The plan would provide two qualifications:

1. Students who design to enroll in desegregated schools must bring written notice from their parents of their intent by Jan. 1, 1962.

2. Students who find themselves in a racial minority in a school which has been desegregated may on request of their parents, transfer to another school.

The judge ordered the board to submit its plan in response to a suit filed by a group of Negores in federal court last Feb. 22, seeking immediate, total integration of the city school system.

The board proposed instead to begin with the first three grades of schools to be selected after formulation of a "plan of single school zones based upon location and size of school buildings and school population without regard to race." Such a plan would be completed next Oct. 1.

## Chattanooga Otters To Integrate 3 Grades

CHATTANOOGA, Tenn. (AP)—The city school board Tuesday proposed to begin limited integration in the first three grades of the city school system at the start of the 1962 school year.

The desegregation plan was filed to meet a deadline set by U.S District Judge Leslie R. Darr.

The board proposed to admit Negroes to selected schools, to be announced by next Oct. 1, and desegregation of an additional grade per year each year through high school.

In addition, it said, there might be desegregation in what it termed "special programs" and other schools before the system is integrated completely.

The judge has said he will hear arguments on such a plan Jan. 9.

Darr refused last Wednesday to delay the deadline for submission of the desegregation plan pending an appeal by the school board to the U.S. Sixth Circuit Court of Appeals in Cincinnati.

## Memphis School Board Warned Of Negro Suit

MEMPHIS (AP)—A Negro attorney told the city school board Tuesday it must either come up with a plan for integrating Memphis schools or face a federal lawsuit.

The ultimatum was issued in a statement by A. W. Willis Jr., an attorney for the National Assn. for the Advancement of Colored People.

Willis said the lawsuit demanding desegregation is being prepared now. But he said that before it is filed Negroes will make one more attempt to meet with the board "to see if some sort of desegregation plan cannot be worked out."

## COURT ORDERS PLAN FOR INTEGRATION IN KNOXVILLE SCHOOLS

Knoxville, Tenn., Feb. (AP)—Federal Judge Robert L. Taylor Monday ordered the Knoxville school board to submit by April 8 a plan for desegregating city schools.

Taylor issued his order after S. Frank Fowler, counsel for the board, told the court that the board would not offer an integration plan unless one was ordered by the court. "You go back and tell the board members they are not writing the court orders," Taylor snapped. "Get the [integration] plan in here by April 8 or see what happens."

JUDGE R. L. TAYLOR
. . . orders integration

## Judge Orders Integration In Knoxville

KNOXVILLE, Tenn.—U. S. District Judge Robert L. Taylor has ordered the Knoxville City Board of Education to submit a plan by April 8 for desegregating city schools.

On the insistence of the board's attorney, S. Frank Fowler, that the judge "order" rather than "request" integration, Judge Taylor was very emphatic with the order.

**"They'd better get a plan in here by April 8 or we'll see what happens," the judge stated.**

■

**AT ANOTHER** point, he told Attorney Fowler, "I have been long-suffering with you this morning."

The jurist indicated that he would look with favor on nearby Nashville's grade-a-year system when he urged the Board of Education and its counsel to read the U. S. Sixth Court of Appeals opinion upholding the Nashville plan.

The board in effect admitted in a legal brief that integration is inevitable.

## Desegregation Plan Demanded

KNOXVILLE (AP)—The Knoxville school board was ordered Monday to present to federal district court by April 8 a plan for desegregating city schools.

Judge Robert L. Taylor issued the order at a hearing on a petition by a group of Negroes for the city to show why its schools should not be desegregated immediately.

S. Frank Fowler, attorney for the board, told the court the city did not propose to integrate its schools or submit an integration plan until so ordered by the court.

"I don't appreciate the position of the board in saying to this court it is not going to do anything until ordered by the court," Taylor retorted. "I don't like to order anything."

Fowler, contending that the vast majority of Knoxville Negroes as well as whites are opposed to immediate integration, replied:

"The board feels that to move without legal compulsion is to betray a trust."

## Mixing demanded in Chattanooga

CHATTANOOGA, Tenn., Feb. 23 —(AP)—The city school board is studying a Negro demand that public schools be integrated within 10 days.

**That demand, coupled with a statement that federal court action will be started if integration is not ordered, was made yesterday by three Negro parents, including the president of the local chapter of the National Assn. for the Advancement of Colored People.**

"If the school board indicates it will voluntarily start total integration within 10 days, we will be willing to wait that long," said James R. Mapp, the NAACP official.

# Memphis Negro Lawyers File Suit Asking Desegregation Of All Public Schools in City

### Lawyers' Brief Complains That Parents Got No Results When They Approached School Board

### Refuses to Present Workable Plan

By THADDEUS T. STOKES

MEMPHIS, Tenn.—(ANP)—Nine Negro attorneys, representing the parents of 18 Negro students of Memphis city public schools, filed a suit in local district Federal court, about 11:00 a.m. Thursday, March 31, requesting complete desegregation of all city public schools.

This is the first suit that has been filed against the public school system here since the Supreme Court's 1954 decision.

Named as defendants is the case were president of the Board of Education Walter B. Armstrong; Supt. E. C. Stimbert, and the four board members.

**— Seek Permanent Injunction ....**

**The attorneys, in their petition are requesting that the court issue "a permanent injunction enjoining the local board of education from continuing to pursue policy, practice, custom and usage in operating a compulsory bi-racial (segregated) school system in violation of rights secured to Negro students by the Constitution and laws of the U. S."**

**The brief stated that the parents of the Negro students petitioned the Board of Education on December 10, 1959, to comply with the United States Supreme Court's desegregation ruling. And again on February 8, appeared before the School Board requesting desegregation, however, the "Board has failed and refused to take any steps to eliminate segregated schools. The Board refused to present a plan for working toward desegregation."**

**Some Studies "For Whites Only"**

**The attorneys went on to state in their brief that "the Board of Education has not exhausted its administrative remedy provided by Tennessee's Pupil Assignment Law." The attorneys also stated that the Board of Education does not make available to Negro students a similar school curriculum as white students. "Some studies are provided for white students only."**

## Integration Suit Aims At Schools

### Immediate Segregation End Sought Here—NAACP Leader To Help

By THOMAS MICHAEL

Immediate desegregation of Memphis public schools at all levels is asked in a suit filed in Federal Court yesterday by eight Negro lawyers, including top NAACP attorney Thurgood Marshall.

The suit lists 18 minors and their parents as plaintiffs, and states that, through them, the action is brought in behalf of all other Negro children and their parents in Memphis.

**School Board Named**

Named as defendants are the Board of Education of the City of Memphis; Walter P. Armstrong, president of the Board of Education, John T. Shea, Mrs. Frances E. Coe, Mrs. Jane S. Seessel, and Julian Bondurant, members of the board, and E. C. Stimbert, superintendent of the Memphis school system.

The suit asks that the court:

"Enter a decree enjoining defendants, their agents, employes and successors from operating a compulsory biracial school system in Memphis . . .

"Enter a decree enjoining the defendants . . . from assigning pupils to schools . . . on the basis of race and color.

"Enter a decree enjoining defendants . . . from assigning teachers, principals and other school personnel to the schools . . . on the basis of race and color . . .

**Alternative Suggested**

"Enter a decree enjoining defendants . . . from approving budgets, making available funds, approving contracts, and policies, designed to perpetuate or maintain or support a school system operated on a racially segregated basis."

As an alternative, the suit asks that the court enter a decree directing defendants to present a complete plan, within a period of time to be determined by the court, for the reorganization of the entire school system.

The bill states that the plaintiffs have not exhausted the administrative remedy provided by the Tennessee Pupil Assignment Law because it does not provide adequate relief.

**Loeb Backs Board**

Mayor Henry Loeb said of the suit:

"As Mayor, I'm certainly going to back the School Board, and it is my hope that we will exhaust all legal possibilities in maintaining our position.

"We have bent over backwards in providing equal facilities and I further hope that all responsible people will stop, think and consider."

Mr. Armstrong, the board president, had no comment.

**Negroes File Integration Suit**

NASHVILLE, Tenn., Sept. 19 (AP)—Parents of several Negroes filed an integration suit in the United States District Court Monday against the Davidson County School Board and Superintendent J. E. Moss. The suit asked the court to require admission of the Negro children to several all-white schools. It was the first integration suit involving county school. Schools in the adjoining Nashville area began integration in 1957.

# Memphis School System Integration Suit Is Filed

MEMPHIS, Tenn., March 31 (UPI)—Attorneys representing 18 Negro school children filed a federal court suit today to integrate the Memphis school system.

The suit was filed against schools Supt. E. C. Stimbert Jr. and members of the city board of education.

The suit charged that the Memphis Board of Education was operating on a bi-racial basis in opposition to the Supreme Court decision of 1954.

"The compulsory bi-racial school system is predicated on the theory that Negroes are inherently inferior to white persons and consequently may not attend the same public schools attended by white children who are superior," the bill said.

"Assignment of school personnel on the basis of race and color also is based on the theory that Negro teachers, principals and other school personnel are inferior to whites . . . and therefore may not teach white children."

Two of the eight Negro lawyers were identified as Thurgood Marshall, who won the school desegregation case in 1954 for the National Assn. for the Advancement of Colored People, and woman attorney Constance Baker Motley of New York.

All of the attorneys defended Negro sit-in demonstrators here earlier this month.

The court bill said that the Negroes asked the school board to desegregate the school system in a letter last December, and at a meeting last Feb. 8. The Negroes said that the board declined to take any steps to integrate the school system.

# Ask Speed-Up Of Integration Plan

KNOXVILLE, Tenn. — (UPI) — Attorneys Monday asked federal Judge Robert L. Taylor to reject the city school board's grade-A-year school desegregation plan and open up presently all-white schools to Negro pupils this fall.

The attorneys filed seven objections to the plan in Federal Court.

The objections were that the plan does not grant relief to the 17 plaintiffs and "forever deprives" them and other Negro children enrolled in segregated schools "of their rights to a racially unsegregated education."

The attorneys also said the plan violates the due process clause of the 14th Amendment to the Constitution in that it provides racial factors as valid conditions to support a request for a transfer from one school to another.

They asked Taylor to hear evidence on their motion for an injunction and temporary restraining order prohibiting school segregation "at an early date."

The school board approved the plan by a 4-1 vote April 5. The plan calls for desegregation of one grade each year with total integration to be complete in 12 years.

# Court called on to rule out Knoxville's integration plan

KNOXVILLE, Tenn. — Defendants in the Knoxville school desegregation suit have asked the court to throw out the board of education's proposal to integrate the city classes over a 12-year period.

"The plan won't cover any of the applicants seeking admission to elementary, junior and senior high schools in their communities," said Carl A. Cowan, local attorney for the 17 plantiffs.

Attorneys for the plaintiffs filed suit in the U.S. District Court on Dec. 7, 1959. Judge Robert L. Taylor gave the Knoxville board until April 8 to submit a plan for desegregation.

**THE BOARD** adopted the "Nashville plan" desegregaing a grade a year— beginning with the first grade— as apparently the best way out.

Ten days after the board filed its plan with the court, attorneys for the plaintiffs submitted their objections and asked the court to order the board to admit the 17 plaintiffs to the school to which they applied by Sept., 1960.

The attorneys based their objections on the 14th Amendment and the U.S. Supreme Court decision in the case of Brown vs. the Board of Education on May 31, 1955.

Attorneys for the plaintiffs listed seven points in giving their reasons for being against the plan recommended by the board.

**THE LIST** noted that the plan does not comply "with all deliberate speed," nor does it consider the nearly five years which have elasped while the board did nothing to comply.

CARL A. COWAN, attorney, and a native Knoxvillian, who served as a Knox County assistant district attorney for five years under Hal H. Clements.

Also, attorneys said that the 12-year period is not "necessarily in the public interset" and is not "consistent with good faith compliance at the earliest practicable date."

Another point stated that the "plan forever deprives the infant plaintiffs and all other colored children now enrolled in public schools of Knoxville the right to a racially unsegregated public eduction."

**IN ADDITION** to Mr. Cowan, other attorneys for the plaintiffs are Z. Alexander Looby and Avon N. Williams Jr. of Nashville and Jack Greenberg and Thurgood Marshall of NYC.

S. Frand Fowler of Knoxville is the attorney for the board.

# Placement Law Cited In Retort To School Suit

## Board Of Education Seeks Dismissal Of Move By Negro Plaintiffs

The Memphis Board of Education yesterday cited its right to operate under the Tennessee Pupil Placement Law in answer to a suit of 18 Negroes seeking admission to white schools.

The board's reply, filed in Federal Court, claims the Negroes have not availed themselves of their right to appeal their school assignments through normal board channels.

Emphasizing that it would continue to operate under provisions of the state law, the school board asked that the suit filed by the Negroes March 30 be dismissed.

**Includes Appeals Provision**

The state pupil placement law, which authorizes school boards to assign pupils to schools so long as the assignment is not based on color, includes an appeals provision.

". . . Plaintiffs (the Negroes) have not exhausted the administrative remedies provided by the Tennessee Pupil Assignment Law," said the school board reply. "The exhaustion of such remedies is a condition precedent to maintaining this action and for that the reason plaintiff's complaint should be dismissed".

The legal reply points out that only one of the 18 students has made formal application for transfer from a Negro school to a white school and that no appeal was attempted when it was turned down.

**'Convenience' No Grounds**

This was the application of Mrs. Marjorie McFerren of 1215 North Evergreen who sought two years ago to enroll her son, Gerald E. Young, in Vollentine for "convenience" after he had previously been enrolled at Hyde Park which he had attended for three previous years.

". . . It has been the policy of the Board of Education to deny a request to transfer a student from one school to another on the mere grounds of convenience and literally thousands of such applications made on behalf of both white and Negro children have been denied by the board and its staff . . ." the reply states.

The board's answer was filed by Jack Petree and Larry Creson, its attorneys.

Named as defendants in the Negroes' suit were school board members, Walter P. Armstrong Jr., president, John T. Shea, Mrs. Frances E. Coe, Mrs. Jane S. Seessel, Julian B. Bondurant and Supt. E. C. Stimbert.

# Desegregation Ordered For Knoxville Schools

Birmingham World B'Ham, Ala. 2-13-60

KNOXVILLE, Tenn.—(SNS)—The Board of Education was ordered to submit a plan for desegregating city schools by Federal Judge Robert L. Taylor, at a hearing at which the Board had been ordered to show cause why city schools should not be immediately desegregated.

A deadline for submitting a plan was set for April 8.

The Judge indicated he would possibly favor the grade- a -year plan, when he urged that the Board study the U. S. Sixth Court of Appeals opinion upholding the Nashville plan.

Atty. Frank S. Fowler urged that a desegregation plan be ordered rather than requested.

The Judge pulled no punches when he emphatically demanded that a plan had better be in by April 8, "or we'll see what happens!"

The Board had insisted on not submitting a desegregation plan unless ordered. The Judge gave the order today and the Board a deadline.

A controversy arose when Mr. Fowler remarked, "I've got my orders. The Board has stated they do not intend to submit a plan unless ordered. I've got my orders."

The Judge snapped, "You tell them they are not writing this courts orders!"

We don't want the kind of trouble we had at Clinton, Mr. Fowler pointed out. The Judge ignored the reference to the violence at Clinton in 1956.

The Board admitted in a legal brief that integration is inevitable. The Judge showed irritation at the Board's reluctance to order desegregation.

I don't appreciate the School Board's position. Why does the Board want to make this Court comply with the law? It was regarded as a tender spot by the Board.

Avon N. Williams and Carl A. Cowan, Nashville and Knoxville Attorneys had their clients in court ready to testify on the issue of immediate desegregation.

An order or agreement — the date is set for April 8. Attorneys from both sides will confer on the wording on the order.

Negroes will have a 10 day period in which to file objections to the plan. There seems to be assuredly some plan of integration this fall.

The Board filed a brief claiming that Negroes do not want desegregation and denied any discrimination that is an opinion of the Board only. The issue was hotly contested by attorneys for and opposing integration and was reprimanded by the Judge.

The brief also made a bid for time. It asked that desegregation not be ordered until the beginning of a school term.

Mr. Williams protested any delay in the end of segregation.

men are members of the National Association for the Advancement of Colored People they appeared before the board as legal counselors, parents or taxpayers rather than as members. The board previously had refused dealings with the NAACP on grounds that it represented a private interest group.

**White Warning Sounded**

Belief that white taxpayers would oppose any integration move was expressed by Brooks Norfleet, white attorney, who asked permission to speak.

"The NAACP will find that there are school taxpayers who are alive to the situation—who will never approve it," said Mr. Norfleet. Should such a move develop, he warned, "There will be a long day ahead."

# Placement Law To Guide Board

Commercial Appeal Memphis, Tenn. Jan. 2-9-60

## City School Course Told As Negroes Push For End Of Segregation

Tennessee's pupil placement law will be the guide of the Memphis Board of Education in deciding where pupils will attend school, Walter P. Armstrong Jr., board president, said yesterday.

Mr. Armstrong's statement that the board "plans to comply with the laws of the state" came in response to questions by Negroes as to whether the board considers segregation to be in effect in Memphis and, if so, would it be ended.

**Meeting Heavily Attended**

Posing questions at the heavily attended meeting were H. T. Lockard, A. W. Willis and R. B. Sugarmon Jr., attorneys, Dr. Vasco A. Smith Jr., dentist, and Jesse H. Turner, bank official.

They were told by Mr. Armstrong and John Shea, board member, that each application for enrollment or transfer would be considered on its individual merits and without regard to race, as the state law requires.

Although the Negro spokes-

Knoxville 17 "Petulant"?

Journal and Guide Norfolk, Va. Sat. 5-14-60

# School Integration Suit Irks Newspaper Editor

By PETE BRADBY

KNOXVILLE, Tenn. — The 17 colored plaintiffs who have not accepted the "Nashville Plan" for school desegregation on the basis of one grade a year, have been described in a newspaper editorially as "petulant objectors." How unreal the description is borne out by the fact that the plan would require 12 years, or until 1972, for a mere fraction of the children concerned.

The facts in the case of the "17" reveal that the plaintiffs have reasons to object "petulantly!" The plan doesn't cover any of the applicants seeking admission to the elementary, junior and senior high schools in their communities. All of these students live near the school to which they have applied for admission excepting the Fulton technical high school which students attend from all sections of the city.

**KNOXVILLE'S** plan is like other delaying plans on school desegregation. The goal is to delay desegregation as long as possible which gives time for changes in population shifts that could become a bulwark for the died in the wool segregationists.

Already a lot of time has been lost on the case. The suit was filed by the plaintiffs against the school board on Dec. 7, 1959 which means the board allowed over five years to elapse without attempting to comply on its own with the 1954 U. S. Supreme Court decision.

**FINALLY** Judge Robert L. Taylor of the United States District Court here on Feb. 8, 1960 gave the board until April 8 to submit a plan. At the last minute the board adopted the Nashville Plan apparently as the best way out.

The plan was disappointing to the plaintiffs who on April 18 filed their objections. They asked the court to reject the board's plan and to allow the 17 students to enter the schools not later than September 1960. They based their request on the 14th Amendment to the U. S. Constitution and the Supreme Court decision.

**CARL A.** Cowan, Knoxville attorney, has pointed out the unfairness of the Knoxville plan because it does not cover all the applicants concerned with the school desegregation problem. Other attorneys on the case are Z. Alexander Looby and Avon N. Williams Jr. of Nashville and Thurgood Marshall of New York City. S. Frank Fowler is defending the school board.

The school board's plan provides for desegregating one grade a year beginning with the first: allowing each students to enter a desegregated grade in the school of his residential zone, setting up a zoning plan board on location and size of the school building and enrollment studies "without reference to race." There are other provisions which could result in slowing down requests for transfers to desegregated schools.

Objections to the board's plans start another round of litigation. This has been the history of school desegregation efforts inthe South.

# Knoxville Applicants Sue Over 'Nashville Plan'

By PETE BRADBY

KNOXVILLE, Tenn. — "Petulant Objectors," the Knoxville News-Sentinel, a Scripps-Howard newspaper, editorially called the 17 Negro plaintiffs for not accepting the "Nashville Plan" (a grade a year beginning with the first) for opening Knoxville public schools to all citizens on a democratic basis.

Atty. Cowan

Yet the facts veal that the plaintiffs have reasons to object petulantly!

"The plan won't cover any of the applicants seeking admission to elementary, junior and senior high schools in their communities. All are near the schools to which they have applied for admission, except Fulton Technical High School which students attend from all over the city," said Carl A. Cowan, local attorney for the plaintiffs. He added that Knoxville has a 6-3-3 system.

■

**A SUIT WAS** filed by the plaintiffs against the Knoxville Board of Education on Dec. 7, 1959, which means the board let around five years elapse without attempting to comply on its own with the 1954 U. S. Supreme Court decision.

Finally, on Feb. 8, 1960, Judge Robert L. Taylor of the United States District Court here gave the board until April 8 to submit a plan.

At the last minute the board adopted the Nashville Plan apparently as the best way out.

■

**ON APRIL 18, 1960,** the plaintiffs filed their objections, asking the court to disapprove the Nashville Plan submitted by the Knoxville Board and to allow the 17 students admittance to the schools to which they have applied, not later than September, 1960.

Grounds for their objections were based on the Fourteenth Amendment of the U. S. Constitution and the Supreme Court decision in the case of Brown v. the Board of Education on May 31, 1955.

Besides Mr. Cowan, other attorneys for the plaintiffs are Z. Alexander Looby and Avon N. Williams Jr. of Nashville, and Jack Greenberg and Thurgood Marshall of New York City.

S. Frank Fowler of Knoxville is defending the Board of Education.

# NEGROES REJECT KNOXVILLE PLAN

## U.S. Court Is Asked to Bar Desegregation of Schools on Grade-a-Year Basis

Special to The New York Times.

KNOXVILLE, Tenn., April 18 —A grade-a-year desegregation plan filed with the Federal Court here by the city's school board was attacked today as unconstitutional.

The challenge to the plan was filed by the attorneys for seventeen Negroes who are seeking admission to white schools. Although the primary exception was to the grade-a-year schedule, there was objection to other phases of the plan, particularly its provision for pupil transfers.

The transfers provision, it was argued, would "perpetuate racial segregation" in the schools.

Request was renewed for a temporary restraining order and a preliminary injunction against the school board to become effective before the schools begin their fall term.

Federal Judge Robert L. Taylor was urged to hear evidence on the motion "at an early date" and to disapprove the plan submitted by the board on April 8.

### Similar Plans in State

The grade-a-year plan filed here is similar to one that has been in effect at Nashville for three years. It was approved by the Federal District Court there and by the Sixth Federal Court of Appeals. Kingsport, 100 miles east, of Knoxville, recently adopted a similar plan.

Under the plan filed here the grade would be integrated year with succeeding grades grated each year until all elve grades have been deseggated.

Today's attack on the plan contends that the twelve-year period in which to bring about complete integration is "not necessary in the public interest" and is "not consistent with good faith compliance at the earliest practicable date," in accordance with judicial mandate.

It was alleged that the part of the plan permitting pupil transfers violated the Fourteenth Amendment by providing "racial factors as valid conditions to support requests for transfer."

These factors are "manifestly designed and necessarily operate perpetual racial segregation," it was added.

### Arrest at Mississippi Beach

BILOXI, Miss., April 18 (AP) —A Negro physician, Dr. Gilbert R. Mason was arrested yesterday for swimming at the beach here. But the police were inclined to dismiss the incident as a publicity stunt. He was arrested last summer for swimming at the beach and was warned not to do it again.

### Store Picketing Resumed

LITTLE ROCK, Ark., April 18 (UPI)—Nine Negroes resumed today picketing of two downtown department stores in protest against segregated food service. The picketing began Friday.

### Crusade Backer Fined

NASHVILLE, April 18 (UPI) —A University of Minnesota student who participated in a 900-mile motorcade to demonstrate support for Negro lunch-counter demonstrations was convicted of reckless driving here today and fined $25.

Thomas D. Olson of Minneapolis was accused of driving through a red light. He insisted that he was innocent, but paid the fine.

*Our Unequal Schools—*

# Equality In School Facilities Doesn't Exist In Tennessee

*(Fourth of a Series)*

By WILLIAM BENNETT

From The Commercial Appeal Nashville Bureau

NASHVILLE, June 14.—Equality of educational opportunity in Tennessee sounds fine in theory but in practice it just doesn't work out.

There is liable to be no great comparison between one school system and another in this state. The law calls only for a program of essentials and that's almost all some pupils get, especially in high school.

Other school systems, through locally raised funds, are able to provide first-rate educational opportunities for their students.

This disparity between levels of opportunity within Tennessee may be surprising to some, especially when it is considered that the school systems which received the most state aid per pupil are likely to have the most meager systems.

### Takes More Money

The reason for this is not only because counties that are poor in taxing power can't or won't raise large sums locally to improve educational standards but also because it frequently takes more money to educate a child in a small county than in a large one.

Consider Shelby County, which is at the top in student enrollment, and Houston County, which ranks near the bottom in pupil membership.

Fairly intricate calculation shows a minimum of $111 per year is required to educate one of the 114,323 youngsters in average daily attendance in Shelby and $168 for one of Houston's 1,129 pupils in average daily attendance.

One of the chief factors in this cost difference is the pupil-teacher ratio of the state—that is, the number of teachers in relation to the number of pupils.

A Tennessee school with only 20 pupils in Ada is entitled to one teacher, one with 40 pupils is entitled to two instructors and so on until a school with 200 pupils is allowed seven teachers.

It can be seen that a school system with a number of one-teacher schools is likely to cost more in salary expenditures alone, relatively, than one which has chiefly big schools with many pupils.

### Children Are Uneven

Many smaller items contribute to the higher cost: telephone expense may be greater in rural areas; for water, a rural school may have to dig a well, rather than simply tie in to a municipal water supply; the cost for janitor service may be comparatively greater.

The State Department of Education figured for the 1958-59 school year that if children were apportioned according to county wealth, the 10 Tennessee counties with the most taxable property would have 543,231 children enrolled in public schools and the 10 with the least property wealth would have 7,403.

Instead, the 10 richest counties had 61 per cent of the wealth and 49 per cent of the enrollment, or 381,214 pupils.

If such a division of school children by financial ability could be achieved—which of course it can't—the need for the state to underwrite school programs in order to maintain a minimum level of educational opportunity might be eliminated.

**TOMORROW** — A guarantee clause in state law will permit 42 counties to pay less than their fair share for education this coming school year. The other counties will pick up the tab.

14d(1) 1960

TENNESSEE

MEMPHIS, TENN.
FIRST PUBLIC SCHOOL DESEGREGATION SUIT
FREEDOM FUND

## $100,000 Freedom Fund

The Pittsburgh Courier

# Memphis Aroused, $7,000 Is Raised!

Pittsburgh, Pa.

Sat. 4-2-60 14d(1)

(Special to The Courier)

MEMPHIS, Tenn.—Following a flat "No" by City Commissioners to requests that all public facilities in Memphis be desegregated, a strategy committee of students at LeMoyne and Owen colleges mapped new protest plans, aroused citizens met and raised $7,000 toward a $100,000 freedom fund, and lawyers filed the city's first public school desegregation suit.

p. 2,

**The suit calling for immediate desegregation of Memphis public schools at all levels was filed in Federal Court Thursday afternoon by eight Negro lawyers, including the chief legal counsel of the NAACP, Thurgood Marshall. The suit was filed in the names of 18 minors and their parents.**

The city commissioner had told an interracial committee and a group of eight Negro lawyers in separate meetings that they would uphold segregation until the courts rule differently.

■

**COLLEGE** students who staged five sit-ins on recent week-ends were calm and quiet last week. They were awaiting the outcome of the city commissioners' meetings with the interracial group and the Negro lawyers.

The students held two meetings, however, during the week, and a meeting of the strategy committee was conducted last Thursday. What their next moves will be, if any, is being kept secret.

At a public mass meeting early last week, conducted by the Inter-denominational Ministerial Alliance, more than 2,000 agreed to an all-out boycott of downtown merchants and made new contributions to the freedom fund which now totals more than $7,000.

City Commissioners claim the sit-ins hurt "good race relations" in Memphis and set back their plan which called for the appointment of at least three Negroes to important city committees.

Daily papers here editorially criticize the sit-ins but cautiously advise white Memphians that the time has come when Negroes must be granted more freedom and rights.

# Voters Reject Integration Of Houston Public Schools

HOUSTON, Tex. (AP)—Voters in 43 of Houston's 180 school district precincts Saturday turned down integration of the city's public schools by a more than 2-1 margin.

The totals were 5,075 for integration and 13,700 against.

The special referendum was required by state law but the outcome was to have no actual bearing on integration of the nation's largest segregated school system.

U. S. Dist. Judge Ben C. Connally in 1957 ordered integration with all deliberate speed but did not set a deadline. Two months ago he set a June 1 deadline for the school board to submit an integration plan. On Wednesday the board submitted a plan under which only three of the system's 177 schools would be integrated.

The board had hoped to adopt a "salt-and-pepper" plan based on areas of the least opposition in Saturday's referendum but Connally made this impossible by denying a motion to extend the June 1 deadline.

Connally also made an indirect challenge of the referendum state statute by advising the board integration cannot become involved in a popularity contest.

The statute adopted by the Texas Legislature after the U. S. Supreme Court ruled out segregated schools poses a financial crisis to school districts integrating without referendum approval. State financial aid and accreditation could be lost should integration be ordered without such approval.

State financial aid to the 170,000-student Houston district amounts to about 6½ million dollars a year.

# Judge Orders Mixing Plan For Dallas

DALLAS (UPI)— U.S. District Judge T. Whitfield Davidson ordered the Dallas School Board Saturday to put a voluntary "salt and pepper" integration plan into operation in September, 1961.

Under the plan, the school board will designate certain schools—probably one Negro and one white school—for integration. White and Negro students who want to go to integrated schools can attend; none will be forced into integrated schools.

Judge Davidson told the board to go ahead with the plan whether or not a majority of Dallas voters shows it wants integration in a referendum to be held soon.

Under state law, a Texas school district cannot integrate without losing state school funds and school accreditation unless a majority of the district's voters vote for integration.

In the case of Dallas, loss of state funds would amcunt to $3,325,000 a year. Judge Davidson said that even if Dallas voters vote against integration, he doubts the state can invoke the law on a "salt and pepper" plan.

He said the reason is that "salt and pepper" integration is not complete integration and he thinks the state law covers only tctal integration.

W. J. Durham, the National Association for the Advancement of Colored People's lawyer, declined to comment at cnce on Davidson's order.

Durham said the NAACP won't say what it will do until the board files the amended plan.

# Judge Orders Mixing Plan For Dallas

DALLAS (UPI)— U.S. District Judge T. Whitfield Davidson ordered the Dallas School Board Saturday to put a voluntary "salt and pepper" integration plan into operation in September, 1961.

Under the plan, the school board will designate certain schools—probably one Negro and one white school—for integration. White and Negro students who want to go to integrated schools can attend; none will be forced into integrated schools.

Judge Davidson told the board to go ahead with the plan whether or not a majority of Dallas voters shows it wants integration in a referendum to be held soon.

Under state law, a Texas school district cannot integrate without losing state school funds and school accreditation unless a majority of the district's voters vote for integration.

In the case of Dallas, loss of state funds would amcunt to $3,325,000 a year. Judge Davidson said that even if Dallas voters vote against integration, he doubts the state can invoke the law on a "salt and pepper" plan.

He said the reason is that "salt and pepper" integration is not complete integration and he thinks the state law covers only tctal integration.

W. J. Durham, the National Association for the Advancement of Colored People's lawyer, declined to comment at cnce on Davidson's order.

Durham said the NAACP won't say what it will do until the board files the amended plan.

# Dallas Turns Out Today For School Mixing Vote

DALLAS, Tex. (AP)— An estimated 50,000 citizens vote Saturday on whether they want Dallas schools integrated. If that many turn out, it will be twice as many as ever voted before in an election held by the school board.

The election will not change federal court orders for integration, but it may determine what kind of integration.

The school system is committed to "salt-and-pepper" integration in September 1961. That means that no one will be forced into an integrated school. Selected schools will be integrated, but attendance will be voluntary for both races.

This plan was approved in June by U.S. Dist. Judge T. Whitfield Davidson. But Judge Davidson told Dallasites complete integration will be ordered if they vote for it.

Under Texas anti-integration laws, a school district must vote in favor of integration or it will be penalized if it integrates.

State Education Commissioner J.W. Edgar has officially informed the school district it will lose about three million dollars of its state aid if it integrates in violation of the state law.

The district also would lose its accredition and its school officials could be fined.

# School Integration ordered in Houston

HOUSTON, Tex., Aug. 4 (AP)— Federal Judge B. C. Connally today ordered immediate desegregation of the Houston public schools beginning with the first grade—beginning in September.

He turned down the school board's proposed desegregation plan submitted to him in June, terming it a "sham and subterfuge."

The turned-down plan would have designated an elementary, a junior high and a high school as integrated, with permission for any member of a racial minority in any school to transfer out.

The Houston school district is the largest segregated district in the nation.

The judge ordered that "beginning with the first grade, each student may—at his option, attend any former all white or all Negro school within the geographical boundaries in which he may reside."

He further ordered that the plan shall be extended to the first and second grades in September, 1961, and progress one grade higher each year until complete desegregation is accomplished.

# Court Orders Houston to Desegregate

HOUSTON, Tex, Aug. 4 (AP) — Federal Judge Ben C. Connally today ordered desegregation of the Houston public schools, beginning with the first grade in September.

He turned down the School Board's proposed desegregation plan submitted to him in June, terming it a "sham and subterfuge."

The turned-down plan would have designated an elementary, a junior high and a high school as integrated, with permission for any former all white or all Negro school within the geographical boundaries in which he may reside.

He further ordered that the plan shall be extended to the first and second grades in September, 1961, and progress one grade higher each year until complete desegregation is accomplished.

"Nothing in this order shall be construed to prevent transfer of a student, at his request, or pursuant to reasonable transfer rules of school authorities, provided only that race or color concerned shall not be a consideration."

Judge Connally sharply criticized the Board for its plan of desegregation, saying "it does not constitute a good faith attempt at compliance but is a palpable sham and subterfuge, designed only to accomplish further evasion and delay."

# Dallas Votes To Reject Integration

DALLAS, Tex. (AP)— Dallas voters rejected school integration 4-1 in a referendum Saturday which won't affect the issue.

The vote was 30,324 against and 7,416 for. The 37,740 total was the largest ever cast in a Dallas school district election.

Officials had predicted a total of 50,000.

White precincts generally voted 10-1 against. In a light turnout, Negro precincts favored integration with margins as large as 20-1.

U.S. Dist. Judge T. Whitfield Davidson has ordered school integration in September 1961, under a voluntary "salt and pepper" plan whereby only three schols would be integrated. Students could attend mixed classes at these schools if they wish.

Negroes have appealed this order to the U.S. 5th Circuit Court of Appeals at New Orleans.

Judge Davidson urged school officials to hold the referendum as a barometer of public opinion and said he might order "immediate, wholesale integration" if the voters approved.

C. B. Bunkley, attorney for the National Assn. for the Advancement of Colored People, said there was a "general feeling that the vote didn't mean anything, that one's constitutional right cannot be determined by election."

Racial News Roundup

# Houston Gets Integration Order

HOUSTON, Tex. (AP)—Houston was ordered Thursday to integrate its schools a grade each year for 12 years, starting this fall.

Houston is the largest segregated school district in the nation with 173 schools and 170,000 students. About 25 per cent of the pupils are Negroes.

U.S. Dist. Judge Ben. C. Connally in issuing the order sharply criticized the school board's plan for integrating only three schools.

The school board plans to study the Connally order Monday night. One board member said he will vote for appeal to the 5th Circuit Court in New Orleans.

Dr. John W. McFarland, superintendent, said the board does not have ready a program under which Connally's order could be carried out.

"We have no plans based on this order," he said. "We had no foreknowledge of it."

Connally's plan is the same one as rejected July 19 by the 3rd Circuit Court at Philadelphia. In a 2-1 ruling on Deleware public schools the Philadelphia court said a grade-a-year plan is too slow. Total desegregation was ordered for 1961.

By a 5-1 majority, the Houston School Board June 1 asked Connally to accept a plan under which only three of Houston's schools would be desegregated.

IN DALLAS

## Integration Move Up To Court Now

DALLAS, Tex. (UPI) — The U.S. 5th Circuit Court of Appeals in New Orleans will have the next move in the five-year struggle to integrate Dallas public schools, following a weekend election in which voters showed they were against integration by a four to-one margin.

Dallas voters rejected integration 30,324 to 7,416 in the special election Saturday. But the vote actually amounts only to a public opinion poll on how school patrons feel about the issue.

The vote was taken because of a state law providing that integration can be instituted only in school districts where voters approve it. If integration is put into effect without voter approval, such school districts face loss of accreditation and state aid.

Federal Judge T. Whitfield Davidson has ordered the school board to proceed with a so-called "salt and pepper" integration plan in September 1961.

The plan would provide only a few schools for integrated classes, with attendance only by those students who favor integration.

Judge Davidson had said he would order wholesale integration, however, had voters approved integration in Saturday's referendum.

Negro lawyers have appealed the order of Judge Davidson to the New Orleans federal court. The court has set no date for a hearing, but school board members feel it will be before school opens next month.

The New Orleans court has overruled all previous plans for integration of Dallas schools.

## Houston Told To Integrate First Grade

HOUSTON, Tex. (AP)—U. S. Dist. Judge Ben C. Connally ruled Friday that Houston's grade-a-year school desegregation plan must begin next month with the first grade.

Connally's new ruling was in an order replacing one he issued last Thursday. The initial order left in doubt whether the plan was to start with kindergarten or the first grade.

Under the latest order, integration would be completed through the 12th grade in 1971.

Residents of the 170,000-student school district in May voted by a 3-1 majority to continue segregation.

## Mixed Schools Set in Houston

HOUSTON, Tex., Aug. 5 (AP).—Federal Judge Ben Connally yesterday ordered immediate desegregation of the Houston public schools—beginning with the first grade, starting in September.

He turned down the school board's proposed desegregation plan submitted to him in June, terming it a "sham and subterfuge."

The turned-down plan would have designated an elementary, a junior high and a high school as integrated, with permission for any member of a racial minority in any school to transfer out.

**Largest in Nation**

The Houston school district is the largest segregated district in the Nation.

Judge Connally's order finally determined the suit filed in behalf of two Negro girls, Delores Ross and Beneva Delois Williams, in 1956.

The judge ordered that "beginning with the first grade each student may—at his option, attend any former all-white or all-Negro school within the geographical boundaries in which he may reside."

He further ordered that the plan shall be extended to the first and second grades in September, 1961, and progress one grade higher each year until complete desegregation is accomplished.

However, he added that:

"Nothing in this order shall be construed to prevent transfer of a student, at his request or pursuant to reasonable transfer rules of school authorities provided only that race or color concerned shall not be a consideration."

Judge Connally sharply criticized the board for its plan of desegregation, saying "it does not constitute a good faith attempt at compliance, but is a palpitable sham and subterfuge, designed only to accomplish further evasion and delay."

The Connally plan is the same as one rejected by the Third United States Circuit Court of Appeals at Philadelphia on July 19 in a ruling on public schools in Delaware. The circuit court said the grade-a-year plan is too slow. The court ordered total desegregation in 1961.

## Negroes Turned Back At Pt Arthur School

BEAUMONT— A group of Negro parents were slated to meet with Beaumont's Negro Atty Theodore Jones to decide whether to file a lawsuit in the federal district court, since Z T Fortescue, superintendent Port Arthur Independent School Elementary School Monday. refused to allow them to enroll their children at the Franklin Elementary School Monday.

Supt Fortescue met in Port Arthur with the attorney and the group of ten Negro parents. Fortescue told the group there was no provision for Negroes to enroll at the schol.

## HOUSTON NEGRO STUDENTS APPLY

### No Incidents Reported as Classes Begin

HOUSTON, Tex. (AP)—Negroes sought to enroll at six white schools Wednesday as authorities made another unsuccessful effort to delay grade-a-year integration of the nation's largest segregated school district.

Plainclothes policemen patrolled corridors at two schools but no incidents occurred as fall classes began.

Parents of the 13 Negroes seeking to enter all-white classes were told a ruling on eligibility of the children will be made Friday. No actual classroom attendance of Negroes is expected before Monday.

Parents of nine other Negro youngsters made preregistration applications last week.

One parent protested it was unfair for his son to be unable to enroll Wednesday since white students were doing so.

But there were no disturbances and no crowds gathered at the schools. Police Chief Carl Shuptrine also kept all uniformed police on duty.

**WAIT AND SEE—JUDGE**

Joe Reynolds, school board attorney, made hasty plans for another effort to delay the federal court integration order.

Reynolds was preparing to leave for the airport when U.S. Dist. Judge Ben C. Connally, holding court in Laredo, advised him by telephone not to come. Connally told Reynolds to wait and see what course integration takes before trying for another stay.

Connally's order that integration of the 170,000-student school district begin Wednesday with the first grade was upheld Tuesday by the 5th U.S. Circuit Court of Appeals at New Orleans. Requests for stays earlier had been denied both by Connally and the New Orleans court.

**ONE OF NINE QUALIFIES**

School board member Stone Wells Tuesday night obtained board approval of a motion that instructed Supt. John McFarland to accept applications from Negroes but to delay actual enrollment.

The applications, like those of last week, were referred to a special three-member committee which is checking them against eligibility rules established by the board after Connally signed his order last week.

McFarland announced earlier only one of last week's nine applicants qualified.

The rules include a requirement that all elementary grade students from a single family must attend the same school.

Efforts have been made to integrate only six of the district's 107 white schools. Officials predicted Wednesday's opening day enrollment for the first grade would approximate 19,500 and include about 4,000 Negroes.

# Houston Votes 'No' On Mixed Schools

Commercial Appeal Sun. 6/5/60

## But Referendum May Prove Rather Meaningless

Memphis, Tenn.

HOUSTON, Texas, June 4.—(AP) — Integration took a beating at the polls Saturday as Houston residents endorsed segregated public schools by a vote of more than two to one.

Votes tabulated from 140 of 180 precincts in the nation's largest segregated school district gave 45,255 for continued segregation and 19,699 for integration.

Integration led in only 13 precincts, all in predominantly Negro areas. About 25 per cent of the school system's 170,000 students are Negroes.

The special referendum complied with state law but actually was rather meaningless since a Federal judge already has ordered integration. Only a date and a plan remain to be determined.

Federal Judge Ben C. Connally in 1957 ordered integration with all deliberate speed but did not set a deadline. Two months ago he set a June 1 deadline for the school board to submit an integration plan. On Wednesday the board submitted a plan under which only three of the system's 177 schools would be integrated.

The board had hoped to adopt a "salt and pepper" plan based on areas of the least opposition in Saturday's referendum but Connally made this impossible by denying a motion to extend the June 1 deadline.

# DALLAS MIXING ORDER SIGNED

The Times-Herald New Orleans La.

DALLAS, Tex. (AP) — United States Dist. Judge T. Whitfield Davidson has signed orders approving a voluntary plan for integration of Dallas schools. Negro lawyers appealed at once.

W. J. Durham and C. B. Hunkley Jr., acting for the National Assn. for the Advancement of Colored People, took exception to two court orders.

Times, 6-16-60

One calls for a "salt and pepper" integration starting in September of 1961. Under it a high school, junior high and elementary school would be integrated but pupils would be allowed to transfer out.

Judge Davidson in the second order told the school board to resubmit its plan, taking out a provision that made it dependant on a vote of residents in the school district. State law requires such a vote. Otherwise, integrating districts lose state aid.

The Negro appeal seeking integration at once will go to the US fifth circuit court of appeals in New Orleans.

Davidson said he thinks the US supreme court will declare invalid a provision calling for a vote on integration. He said such an election should be held, however, to determine popular feeling on school integration.

court to order all schools desegregated this Fall "on a racially non-discriminatory basis."

The petition, filed by Negro Attorney W. J. Durham of Dallas, gave 13 reasons why it opposed the school board's plan: they included:

—That the plan does not comply with the court order to desegregate schools with all deliberate speed.

—That the plan sanctions operation of separate schools "on account of race and color and in accordance with racial distinctions." Sat. 6-25-60

—That the plan is further objected to for the reason that racial discrimination forbidden by the constitution of the United States. . . is not removed by providing for only three schools in the district for both Negro and non-Negro students to attend.

The NAACP peition contended that the plan would establish a second school district and school system within the Houston district without any authority under the laws of the state of Texas.

# School-Mix Appeal Set In Houston

The Miami Herald Miami, Fla.

HOUSTON, Tex. — (AP) — The Houston school board has voted to appeal Federal Judge Ben Connally's order that its schools integrate the first grade Sept. 7.

Times, 8-18-60

The board voted to ask for a stay of Connally's order and adopted a plan putting limitations on transfers of first grade students from one school to another.

Under the board's proposed plan all elementary school students in one family must attend the same school.

The board's plan allows the transfer of students to other schools if they do not "measure up to standards."

All of the board's actions were approved by a 4-2 vote.

# Hits Bias In All Houston Schools

Chicago Daily Tribune Chicago, Ill.

HOUSTON, Texas — (UPI)— The National Association for the Advancement of Colored People asked federal judge Ben Connally Friday to order every public school in Houston desegregated for the Fall term starting in September.

The NAACP made its request to counter a "salt and pepper" plan proposed by the Houston School Board. Under this plan, only three schools—an elementary, a junior high and a senior high—would be integrated and this would be after Sept. 1, 1961.

The school board submitted this plan for Judge Connally's approval on June 1. Judge Connally has not ruled on it, nor did he rule on the NAACP's request to desegregate all schools, and there was no indication when he would do so.

**170,000 PUPILS**

Houston schools, which contain some 170,000 pupils, are under federal court order to integrate. The Houston school district is the largest segregated district in the U.S.

Houston residents voted last Saturday on a referendum to determine whether or not they wanted integration. They voted against integration by almost 2 to 1 and much of the integration vote came from Negro sections.

The vote followed a Texas law which says that no district can integrate without first voting on it. If it does, it will lose state funds and its accreditation. In Houston's case, it would amount to more than $600,000 a year.

**10 PAGES**

The NAACP filed 10 pages of protests against the "salt and pepper" plan, and it asked the

# Dallas Pupils Offered Choice on Integration

New York World-Telegram New York

Associated Press.

DALLAS, May 26.—The Dallas School Board came up with a new integration plan last night just hours after U.S. District Judge T. Whitfield Davidson, 83, rejected a plan he said would cause "amalgamation of the races."

Times, 5-26-60

Franklin E. Spafford, school board president, said the plan will be filed with Judge Davidson this week.

Sat. 4-28

Basically, the plan says pupils and parents who wish integrated schools will be provided such schools starting Septiember, 1961.

Those not wishing to attend integrated schools may attend segregated schools. The plan involves all grades.

R. L. Dillard Jr., board member, said adoption of the plan depends on a favorable vote in an election demanded by Texas law before schools can integrate.

Mr. Spafford said the only difference between the plan outlined last night and the one rejected by the judge was the way in whic hthe school integrate—individual choice of one grade at a time.

Judge Davidson rejceted plans for integration of Dallas schools because of what he called "the experience that integration has undergone in the District of Columbia."

# 'Salt, Pepper' School Plan Ordered In Dallas

By EDWIN PALMER

DALLAS, Tex.—(UPI)—U. S. District Judge T. Whitfield Davidson ordered the Dallas school board last week to put a voluntary "Salt and Pepper" integration plan into operation in September, 1961.

Under the plan, the school board will designate certain schools probably one Negro and one white school—for integration. White and Negro students who want to go to integrated schools can attend; none will be forced into integrated schools.

Judge Davidson told the board to go ahead with the plan whether or not a majority of Dallas voters shows it wants integration in a referendum to be held soon.

**STATE LAW**

Under state law, a Texas school district cannot integrate without losing state school funds and school accreditation unless a majority of the district's voters vote for integration.

In the case of Dallas, loss of state funds would amount to $3,250,000 a year. Judge Davidson said that even if Dallas voters vote against integration, he doubts the state can invoke the law on a "Salt and Pepper" plan.

He said the reason is that "Salt and Pepper" integration is not complete integration and he thinks the state law covers only total integration.

W. J. Durham, the NAACP lawyer, declined to comment at once on Davidson's order.

**AMENDED PLAN**

The school board will now have to formally file an amended plan, in line with the Judge's order.

Durham said the NAACP won't say what it will do until the board files the amended plan.

The "Salt and Pepper" plan is the board's No. 2 plan. Its No. 1 plan was a grade-a-year plan, which neither the NAACP nor Davidson liked.

The NAACP thought it would take too long. Judge Davidson in an earlier hearing, said it would lead to "amalgamation of the races and cause intermarriage."

"Stay in good humor and do the best you can," he admonished Negro lawyers at the earlier hearing, on May 25.

**ASK HELP OF GOD**

"Consider the welfare and predilections of your people and ask the help of man's creator."

The school board then proposed the "Salt and Pepper" plan. It suggested that one white and one Negro school be integrated at the start. Judge Davidson left the number of schools to be integrated up to the school board.

The board will have to canvass parents to determine which ones want to send their children to integrated schools and the number that do will dictate how many schools must be integrated.

Judge Davidson said that if a white student in a "Salt and Pepper" school turns out to be troublesome, he should be transferred back to an all-white school, and the same goes for Negroes.

# Grade-By-Grade Integration Ordered For Houston Schools

HOUSTON, Tex. (AP)—Houston was ordered Thursday to integrate its schools a grade each year for 12 years, starting this fall.

Houston is the largest segregated school district in the nation with 173 schools and 170,000 students. About 25 per cent of the pupils are Negroes.

U.S. Dist. Judge Ben. C. Connally in issuing the order sharply criticized the school board's plan for integrating only three schools.

The school board plans to study the Connally order Monday night. One board member said he will vote for appeal to the 5th Circuit Court in New Orleans.

Dr. John W. McFarland, superintendent, said the board does not have ready a program under which Connally's order could be carried out.

"We have no plans based on this order," he said. "We had no foreknowledge of it."

Connally's plan is the same one as rejected July 19 by the 3rd Circuit Court at Philadelphia. In a 2-1 ruling on Delaware public schools the Philadelphia court said a grade-a-year plan is too slow. Total desegregation was ordered for 1961.

By a 5-1 majority, the Houston School Board June 1 asked Connally to accept a plan under which only three of Houston's schools would be desegregated.

Connally's order Thursday described the board plan involving only one high school, one junior high, and one elementary school, as "a palpable sham and subterfuge designed only to accomplish further evasion and delay."

The board plan accompanied pledges by individual members that no student would be required to attend an integrated school.

The board submitted its plan to Connally four days before residents of the district voted by a 3-1 margin to continue segregation. The special election was ordered under a state statute by which a school district stands to lose state financial aid if desegregation is ordered without referendum approval.

The Houston case began in 1956 with a suit filed in behalf of two Negro girls. On Oct. 15, 1957, Connally ordered desegretation with all deliberate speed but did not set a deadline. Negro attorneys early this year asked him to reopen the case and set a deadline.

# Dallas Vote Turns Down Integration

DALLAS, Tex. (AP) — Dallas voters rejected school integration 4-1 in a referendum Saturday which won't affect the issue.

The vote was 30,324 against and 7,416 for. The 37,740 total was the largest ever cast in a Dallas school district election.

Officials had predicted a total of 50,000.

White precincts generally voted 10-1 against. In a light turnout, Negro precincts favored integration with margins as large as 20-1.

U.S. Dist. Judge T. Whitfield Davidson has ordered school integration in September 1961, under a voluntary "salt and pepper" plan whereby only three schools would be integrated. Students could attend mixed classes at these schools if they wish.

Negroes have appealed this order to the U.S. 5th Circuit Court of Appeals at New Orleans.

Judge Davidson urged school officials to hold the referendum as a barometer of public opinion and said he might order "immediate, wholesale integration" if the voters approved.

C. B. Bunkley, attorney for the National Assn. for the Advancement of Colored People, said there was a "general feeling that the vote didn't mean anything, that one's constitutional right cannot be determined by election."

Judge Davidson said he thought the federal courts would hold unconstitutional a Texas law which denies state funds to schools which integrate without a favorable vote of the citizens. The law also provides for loss of state accreditation and possible fining of school officials.

The Dallas district has been advised by State Education Commissioner J. W. Edgar that it will lose about three million dollars in state aid if it integrates in violation of the law.

# Dallas voters go to polls on school mixing

DALLAS, Tex., Aug. 6 (AP)—A record turnout for a school election was predicted as voters decided Saturday whether they want Dallas schools integrated.

**Observers based their forecast of a 50,000 vote on an absentee ballot of 336. This is much higher than any previous school election and about half as many as in the first Democratic primary this year, when 94,000 votes were cast.**

Voters will signify whether they wish the school system to remain segregated or whether to give the school board authority to integrate the system.

The election will not affect federal court orders for integration.

THE SCHOOL SYSTEM is committed to a "salt-and-pepper" plan of integrating selected schools in September, 1961. Attendance would be voluntary for members of both races and none would be forced into an integrated school against his will.

U. S. Dist. Judge T. Whitfield Davidson has approved this plan but urged the district to hold the referendum as a kind of "barometer of public opinion."

**If voters approve, Judge Davidson said he will "order immediate wholesale integration."**

Texas laws provide that a school district which integrates without approval of its voters loses state aid and accreditation, and its officials may be fined.

The polls opened at 7 a.m. and close at 7 p.m. (CST).

# Board Hopes For Formula On Schools

HOUSTON, Tex. (AP) — The president of the Houston School Board says he still hopes Gov. Price Daniel will forestall integration of schools here, despite Thursday's U.S. Supreme Court action.

The high court rejected a plea for delay in desegregation of schools here — the largest segregated school system in the South.

Shortly afterwards, the U.S. 5th Circuit Court of Appeals at New Orleans set a Tuesday hearing on the school board's appeal from the integration order. The hearing will come a scant 24 hours before the Houston schools are to open with first grades integrated.

Dr. Henry A. Petersen, school board president, said the board still has two opportunities for relief. Besides the hearing Tuesday, he said, "We rather hope our governor will at long last interpose."

Gov. Daniel earlier this week said he has no authority to intercede between the Houston school district and the federal courts. He could not be reached for comment Thursday.

Dr. Petersen said if both the New Orleans court and Daniel do not help the district avoid integration he will suggest to the board a conditional integration order under which the courts would be asked again for relief if integration "works a serious deterioration in the standards of the Houston school system."

# Dallas Vote Rejects Integration

DALLAS, Tex. — (UPI) — Dallas residents, faced with a federal court order to start school integration in 1961, voted against it Saturday in a referendum that apparently has little meaning.

With 93 of 134 precincts in the city reported, the vote was 19,239 "against" to 4,649 "for."

**Federal District Judge T. Whitfield Davidson suggested the referendum to sample public sentiment on mixing the races. He had indicated that if the vote was "for" integration, he would order immediate and swecping integration of the schools.**

It had been predicted that possibly 50,000 voters would cast ballots Saturday, but this estimate appeared too high. White voting was moderate to heavy, but voting in Negro districts was light.

There was some organized support against integration. A small airplane flew over Dallas Saturday, trailing a sign that said, "Vote Against Integration."

Several Negro election judges said Negroes felt there was no point in voting, and the ballot itself — marked "for" and "against" — was confusing to some persons, both Negro and white.

Texas' two largest cities — Houston and Dallas — have now expressed themselves as against integration, but both are under orders to integrate.

**Federal Judge Ben C. Connally ordered Houston schools to start "stair-step" integration next month.**

The Dallas district is under orders to start a "pepper-and-salt" plan of integration in September, 1961.

Under the "pepper-and-salt" plan, favored by Judge Davidson, no one would be compelled to attend an integrated school. But certain schools would be set aside for integration. The other schools would remain segregated.

The referendum was at least an attempt to comply with a state law which forbids integration without a favorable vote in the district. This law was passed by the legislature in 1957 in an attempt to stave off mixing.

# DALLAS VOTES TO TURN DOWN INTEGRATION

## Turnout Sets Record for School Election

Dallas, Aug. 7 (AP)—Dallas voters rejected school integration 4 to 1 in a referendum Saturday.

The vote was 30,324 against and 7,416 in favor. The 37,740 total was the largest ever cast in a Dallas school district election. Officials had predicted a total of 50,000.

White precincts generally voted 10 to 1 against. In a light turnout, Negro precincts favored integration with margins as large as 20 to 1.

**Orders Partial Integration**

Federal District Judge T. Whitfield Davidson has ordered school integration in September, 1961, under a voluntary "salt and pepper" plan whereby only three schools would be integrated. Students could attend mixed classes at these schools if they wish.

Negroes have appealed this order to the United States Circuit court at New Orleans.

Judge Davidson urged school officials to hold the referendum as a barometer of public opinion and said he might order "immediate, wholesale integration" if the voters approved.

**Reversal Is Expected**

C. B. Bunkley, attorney for the National Association for the Advancement of Colored People, said there was a "general feeling that the vote didn't mean anything, that one's constitutional right cannot be determined by election."

Judge Davidson said he thought the federal courts would hold unconstitutional a Texas law which denies state funds to schools which integrate without a favorable vote of the citizens. The law also provides for loss of state accreditation and possible fining of school officials.

The Dallas district has been advised by the state education commissioner, J. W. Edgar, that it will lose about 3 million dollars in state aid if it integrates in violation of the law.

## 'Stair-Step' Mixing Approved For Dallas

NEW ORLEANS (AP)—The U.S. 5th Court of Appeals Wednesday directed approval of a 12-year "stair-step" integration plan for Dallas public schools.

The plan, as originally filed, provides for integration of the first grade in September, 1961, and for the desegregation of one more grade a year until all 12 grades have been desegregated.

However, the appeals court said "we do not mean to approve the stair-step plan insofar as it postpones full integration."

"The district court retains jurisdiction of the action during the transition" the appeals court said. It left to the district court to determine if "that much delay is necessary, or whether the speed is too deliberate."

At the same time, the three-judge appeals court reversed the Dallas district court approval of a "salt and pepper" plan. The plan provided for separations of schools in white, Negro and integrated.

In approving the "stair step" plan, the appeals court made one amendment which struck out three conditions for transfers. The appeals court said the conditions recognized race as a ground for transfer and "might tend to perpetuate racial discrimination."

## DALLAS INTEGRATION APPROVED BY COURT

NEW ORLEANS, Dec. 1 (AP)—The United States Fifth Circuit Court of Appeals yesterday directed approval of a twelve-year "stair-step" integration plan for Dallas public schools.

The plan, as originally filed, provides for integration of the first grade in September, 1961, and for the desegregation of one more grade a year until all twelve grades have been desegregated.

However, the Appeals Court said, "we do not mean to approve the stair-step plan insofar as it postpones full integration."

"The District Court retains jurisdiction of the action during the transition" the Appeals Court said. It left to the District Court to determine if "that much delay is necessary, or whether the speed is too deliberate."

At the same time the three-judge Appeals Court reversed the Dallas District Court approval of a "salt and pepper" plan. The plan provided for separations of schools in white, Negro and integrated.

In approving the "stair-step" plan, the Appeals Court made one amendment that struck out three conditions for transfers. The Appeals Court said the conditions recognized race as a ground for transfer and "might tend to perpetuate racial discrimination."

# Houston Schools Must Integrate

Chicago Defender

By CARLTON WILSON

HOUSTON, Tex. — (UPI) — Federal District Judge Ben Connally last week ordered the Houston school board to start integrating the city's schools in September, and criticized its area integration plan as a "palpable sham and subterfuge."

"This court finds that said plan does not constitute compliance with the aforementioned order of this court, nor does it constitute a good faith attempt at compliance.

"But it is a palpable sham and subterfuge designed only to accomplish further evasion and delay," Judge Connally, son of former U. S. Sen. Tom Connally, said in his order.

**Houston is the largest segregated school district in the United States with 162,920 students attending 177 schools. There are 129 schools for whites and 48 schools for Negroes.**

Judge Connally ordered the school board to place the "stair-step" plan of integration into operation next month. This means that first-grade students will be integrated this year with one successive grade integrated every year after that until all 12 grades have been integrated by 1972.

**THE 'SHAM' PLAN**

The school board's plan, which Judge Connally blasted, proposed that one elementary, one junior high and one high school be integrated in the same area —where a white or Negro child in an elementary school would graduate on to the junior and senior high school designated for integration. The plan was to go into effect in September 1961.

School Supt. John W. McFarland and his aides would have picked out these schools for integration. This was the latest plan to be proposed since Houston schools were ordered to integrate "with all deliberate speed" in 1957.

Neither Negroes or whites seemed pleased by Judge Connally's ruling although McFarland said he will begin immediately to "work out the problems."

**'TAKES TOO LONG'**

Mrs. Charles E. White, the only Negro member of the school board, said the "stair-step" plan would take too long.

"Some children who are entitled to this right will be denied it throughout their school lives," she said.

She noted that Beneva Delois Williams, 17, and Delores Ross, 12, the Negro students who filed the original suit in 1956, would never be able to attend integrated schools under the "star-step" system.

Beneva graduated from a Negro high school last year and now is a student at all-Negro Texas Southern University, while Delores is in junior high.

Other members of the school board said they did not like the order to integrate this month.

**POSSIBLE TROUBLE**

The district also faces trouble from a state law, which says that a district that integrates without a favorable vote of its residents faces loss of state funds, accreditation and possible fines for school officials.

The Texas legislature passed this law in 1957 to try to stave off integration.

A Houston residents recently voted overwhelmingly in a referendum against integration.

# HOUSTON ORDERED TO MIX STUDENTS

New York Times

**Grade-a-Year Integration to Begin Next Month— Board Loses on Plan**

HOUSTON, Tex., Aug. 4 (AP) Houston was ordered today to integrate its schools a grade each year for twelve years, starting this fall.

Houston is the largest segregated school district in the nation, with 173 schools and 170,000 students. About 25 per cent of the pupils are Negroes.

Federal Judge Ben C. Connally, in issuing the order, sharply criticized the school board's plan for integrating only three schools.

The school board plans to Monday night. One board member said he would vote for appeal to the United States Court of Appeals for the Fifth Circuit in New Orleans.

Dr. John W. McFarland, superintendent, said the board did not have ready a program under which Judge Connally's order could be carried out.

"We have no plans based on this order," he said. "We have no foreknowledge of it."

Judge Connally's plan is the same as one rejected July 19 by the Third Circuit Court at Philadelphia. In a 2-1 ruling on Delaware public schools the Philadelphia court said a grade-a-year plan was too slow. Total desegregation was ordered for 1961.

By a 5-1 majority, the Houston school board asked Judge Connally on June 1 to accept a plan under which only three of Houston's schools would be desegregated.

Judge Connally's order described the board plan involving only one high school, one junior high and one elementary school as "a palpable sham and subterfuge designed only to accomplish further evasion and delay."

The board plan accompanied pledges by individual members that no student would be required to attend an integrated school.

The board submitted its plan to Judge Connally four days before residents of the district voted by a 3-1 margin to continue segregation. The special election was ordered under a state statute by which a school district stands to lose state financial aid if desegregation is ordered with referendum approval.

The Houston case began in 1956 with a suit filed in behalf of two Negro girls. Neither of the plaintiffs, Beneva Williams, now 18 years old, and Delores Ross, now 13, would be affected by Judge Connally's order. Miss Williams graduated from high school in June. The other girl is a junior high school student and would graduate before the grade-a-year plan reached the high school level.

INTEGRATION:

## Speed-up for No. 6

Newsweek

In the oil-rich, wide-hatted expansiveness of Houston, the East Texans have never yet decided whether this is where the West begins or the South leaves off. They were happy to learn in the 1960 census that this was the country's sixth biggest city; they couldn't make up their minds about the news that this was the biggest city anywhere that had yet to desegregate its schools.

Last week, Houston was trying to get used to the notion that integration must begin this fall. Federal Judge Ben C. Connally scornfully rejected Houston school board's plan to integrate a token three of the system's 173 schools. Starting in September, he said, it must integrate a grade a year until twelve years hence when all Houston's pupils, white and Negro, are to go to school together.

# Houston Schools Bow On Desegregation

The Washington Post
Washington Post

HOUSTON, Aug. 27 (UPI) John McFarland, superintendent of Houston schools, said today the largest segregated school district in the Nation would desegregate its first-grade classes starting Sept. 7.

The announcement came only a few hours after the Fifth Circuit Court of Appeals in New Orleans turned down a School Board request to delay a Federal Court integration order until an appeal of the order can be decided.

It means that in compliance with the recent order by Federal Judge Ben Connally in Houston, that all first grade classes in the Houston Independent school district will be open to both races this year.

Connally's order also directs the Houston School District to desegregate one additional grade each year until the entire district is integrated.

It was not made clear immediately whether the School Board has decided against seeking help from a U. S. Supreme Court justice to have Connally's order stayed temporarily as the Board indicated shortly after it was advised of the Appeals Court's decision.

# No Incidents At Counters In Houston

Montgomery Advertiser
Montgomery, Ala
Nov 29-60

HOUSTON, Tex. (AP)—Lunch counter integration continued in Houston Saturday without incident and local publicity.

Newspapers and radio-TV stations still have not reported Thursday's abandonment of segregated counter policies by eight major retail firms which operate from 60 to 80 counters.

Most Negroes continued to use counters to which they were restricted prior to Thursday's policy change.

A mid-morning check at the W.T. Grant Co. downtown store presented this picture Saturday:

First floor counters with about 125 stools—no Negroes.

Basement counter with 20 stools long used by Negroes—15 Negroes.

Most merchants and store managers said only one, two or three Negroes had requested service at any one time.

White customers for the most part continued to ignore the presence of Negroes. There have been only isloated reports of whites leaving the counters upon seeing Negroes sit down.

Plans for the quiet abandonment of segregation policies after a long series of sit down demonstrations by Negro students were worked out in conferences by the merchants and Negro civil leaders.

Newspaper and radio-TV executives were briefed on the plans late last week with a resulting agreement there could be no publicity before or after unless violence developed.

All merchants have referred requests for comment to the retail Merchants Assn. W. J. Wallace, secretary-manager, has confined his comments to a three-sentence confirmation of the policy, released six hours after the first Negroes had requested and obtained service at previously all-white counters.

# HOUSTON STORES DROP NEGRO BAN

## Most Lunch Counters Quietly Integrated First Time—No Disturbance Noted

HOUSTON, Tex., Aug. 25 (UPI) — Most of the big department stores, supermarkets and variety stores in Houston quietly integrated their lunch counters today.

Police Chief Carl Shuptrine said forty-five or fifty lunch counters were integrated and that there was no violence. Whites and Negroes were served on the same basis for the first time.

Store managers talked reluctantly, if at all, about the integration, but it was confirmed by W. J. Watts, secretary-manager of the Retail Merchants Association of Houston.

"A number of major retail firms of the city that provide food served to customers have decided to lift restrictions on patronage, beginning today," Mr. Watts said in a formal statement.

"Every effort has been expended to effect this change in a calm and reasonable manner in the interest of the public. If this can be accomplished as planned there is every reason to believe that there will be no incidents or disturbances in the community."

Most newspapers and radio stations in Houston ignored the integration.

"A few Negroes have been served," Chief Shuptrine said. "But so far, nothing has happened. There have been no disturbances."

Mr. Watts would say only that the list of stores agreeing to integration included department stores, variety stores, one large drug chain and most supermarkets.

### Notables On Picket Line

WASHINGTON, Aug. 25 (AP) — Four Representatives joined a picket line at the nearby Glen Echo, Md., amusement park last night to protest its ban on Negroes.

They were Charles O. Porter of Oregon and Adam Clayton Powell Jr. of Manhattan, Democrats, and Seymour Halpern of New York and Charles D. Riggs of Michigan, Republicans.

### 8 Seized for Sit-In

HOPEWELL, Va., Aug. 25 (AP)—Eight more Negroes have been arrested as a result of sit-in demonstrations at two local drugstores. The total for five days now is 49.

A 25-year-old woman and seven juveniles were taken into custody about noon yesterday as they sought service at the white lunch counter at a drugstore. The woman was held in city jail in lieu of $250 bond.

### Stronger Charges Asked

MEMPHIS, Aug. 25 (AP) — The city asked today for stronger legal charges against persons arrested in the current epidemic of Negro sit-in demonstrations.

Meanwhile, there was a new sit-in at which a white student from Amherst College was among five persons arrested. He identified himself as John T. Parsons, 19 years old of Bethel Park, Pa.

Art Shea, assistant City Attorney, asked the District Attorney General to file charges of conspiracy to interfere with trade and commerce in the sit-in cases.

## THE INTEGRATION FRONT

# Houston Integration Put Off for 5 Days

From Press Dispatches

HOUSTON, Tex.—The Houston School Board Tuesday night ordered Superintendent of Schools John McFarland to receive all applications for admission to Houston schools regardless of race.

But at the same time the board in effect delayed a federal district court's order to integrate first grades Wednesday by directing that those children of the "opposite race" accepted for admission would not be notified until Friday.

This means there is no possibility of first-graders attending integrated classes until Monday.

"We're not trying to circumvent the federal court order to integrate," said Board member Stone Wells after the meeting. "It's just that we don't know the impact of this thing.

"We can't throw this thing wide open and say here it is and let everyone come at once. We could end up with so many colored students in one school that we couldn't cope with them."

### APPEAL REJECTED

The action was taken by the board in a special five-minute session Tuesday night. The meeting was called after the U.S. Fifth Circuit Court of Appeals in New Orleans turned down the board's request to delay the integration order.

The board received assurance from Texas Atty. Gen. Will Wilson earlier Tuesday that the school district will not lose $6 million in state aid if classes are integrated under federal court orders.

### SPECULATION RAISED

The state law on which Wilson ruled raises speculation as to what the showdown might be in other Southern states.

While state laws differ, the principal of withholding state aid is the same which several Southern states hold as a chief bulwark against intergration.

Three Negro children attempted to enroll in white schools as the Aldine Independent school district near Houston opened classes Tuesday. They left quietly when told they would have to attend schools nearest their homes.

### INDIANS RETURN

Two teen-age indian girls who staged an all-day sitdown at the all-white Dunn, N.C., High school Monday returntd to the school Tuesday.

The two girls, Juanita Chance, 15, and Ima Jean Chance, 13, who are cousins, are among a group of several indians seeking admission to the school.

Mayor George Franklin Blalock of Dunn proposed Tuesday that the two teen-agers be admitted in an effort to end the sitdown.

### BUILDING CLASSROOMS

The mayor proposed that two other indian youngsters be admitted to a white school at Erwin, near Dunn. The students would remain in the white schools until three additional high school rooms could be added to the Maple Grove Elementary School for indians near Dunn.

The additional rooms presumably would accommodate the Indian high school students who now have to take a daily 70-mile roundtrip to an Indian high school at Clinton, N.C. The long distance travel is the bone of contention behind the sitdown demonstration.

Negro children in Arkansas, North Carolina, Tennessee, and Virginia entered once-white schools Tuesday in an atmosphere of peacefulness.

# Grade-a-Year Plan At Dallas Is Upheld

NEW ORLEANS (AP)—The U.S. Fifth Court of Appeals Wednesday directed approval of a 12-year "stair-step" integration plan for Dallas public schools.

The plan, as originally filed, provides for integration of the first grade in September, 1961, and for the desegregation of one more grade a year until all 12 grades have been desegregated.

However, the appeals court said, "we do not mean to approve the stair-step plan insofar as it postpones full integration."

"The district court retains jurisdiction of the action during the transition" the appeals court said. It left to the district court to determine if "that much delay is necessary, or whether the speed is too deliberate."

At the same time, the three-judge appeals court reversed the Dallas district court approval of a "salt and pepper" plan. The plan provided for separations of schools in white, Negro and integrated.

In aproving the "stair step" plan, the appeals court made one amendment which struck out three conditions for transfers. The appeals court said the conditions recognized race as a ground for transfer and "might tend to perpetuate racial discrimination."

## By Agreement: Galveston

# Delays Integration Hearing In Fed Court

GALVESTON — Agreeing that the Texas law on voter approval of desegregation is "not worth the paper it is written on," attorneys for both sides in the Galveston integration school case agreed Monday to continuance of the case until the January term of federal court here.

**Atty Thomas Dent represented the plaintiffs in the case. They are Patricia Ann and Bettie Joe Robinson, et al.**

The eyes of the Lone Star State have long been focused on the Galveston case. Galveston indicated early that it was ready for integration. The Texas law, that requires a vote of approval by the citizens for integration in school districts must be registered, or the district will lose its state support, has been challenged by Galveston.

The order of continuance was issued by Federal Judge Ben C. Connally.

**THE DELAY** in the trial was requested by the defendants, Dr Morgan Evans, as superintendent of schools, and the district trustees, who labeled an approaching election and teacher contracts as reasons for their request.

**Complete Change**

Atty Adrain F. Levy, Sr., in representing the defendants, told the court in a written brief:

**"The school district boundaries will be completely changed if the June 18 election on consolidation of the Galveston District with the rural and Port Bolivar district carries."**

**Faculty Employed**

Atty Levy pointed out to the court that the faculty for the coming school year has been employed, and integration would "completely disrupt" planning and organization.

Local observers see the agreement for delay a legal leg, that Galvestonians are leaning on to prove that the Texas law requiring a referendum election on desegregation is unconstitutional.

Texas faced an embarrassing problem when cities of the western part of the state complied with the Supreme Court's ruling to desegregate public schools.

When the referendum law was enacted, some cities had already complied. They refuse to back up, and proceeded to produce athletes and scholars that were eligible to enter such schools as Purdue university and complete their education with unblemished records.

State Sen Henry Gonzalez of San Antonio was a forerunner in opposition to the law. He was strongly challenged by the East Texas bloc, but stood his ground in maintaining the integration work that cities in his area had already accomplished.

## Houston To Desegregate 3 Schools

**HOUSTON, Texas (ANP) — The board of education, in a specially televised meeting early last week came up with a plan for desegregating three of the city's 177 schools just 24 hours before the deadline set by U. S. District Judge Ben C. Connally.**

**The plan, approved 5-1 by the board provides that school Superintendent John Mc Farland pick a senior high school to be desegregated in September 1961. At the same time, the junior high school normally feeding students to that high school and the elementary school sending students to the junior high school also will be integrated.**

**REFERENDUM SCHEDULED**

**Mc Farland is to be guided in his choice by the results of a referendum on integrating the schools. State law prohibits integration without approval of a district's voters. Districts which violate the law can lose state aid, and its officials can be jailed.**

**Judge Connally could not be reached for comment on the plan.**

**Board member Stone Wells said the plan means "no forced integration for anyone."**

**STUDENT TRANSFERS**

**Students wishing to transfer from an integrated school to a segregated school may do so. Students wishing to transfer from a segregated school to an integrated school must have permission of their principal and pass academic and physical examinations.**

**"For six years the Board has sought to evade, delay and compromise," said Mrs. Charles White, the board's only Negro member who cast the dissenting vote.**

**"This plan is an insult to school patrons because it integrates only three schools in a system of 170,000 students," she said.**

**Houston has the nation's largest school system. About 25 percent of the students are Negroes.**

## Houston Casts 'Meaningless' No-Mix Vote

HOUSTON, Tex. (AP) — Houston's voters have rejected racial integration of public schools but their action neither settles the issue nor solves the problem faced by the Houston School Board.

The board has been ordered to integrate schools by U.S. Dist. Judge Ben C. Connally. He has said he will not accept a plan based on area desegregation.

Still the school board presented to the judge last Tuesday a plan based on desegregation of one area. The judge has not ruled on it and until he does no further action is expected.

In a referendum Saturday, 57,596 voters said they did not want integration of the 177 public schools and 28,860 residents — many of them Negroes — voted for integration.

The results, however, don't mean a thing.

School Board member W. W. Kemmerer said yesterday "the election was a waste of money. The results have no legal significance of any kind."

The referendum was held to comply with a state law forbidding a school district to integrate without a public vote approval. School officials could be jailed for violations and the school district could lose state funds.

Houston, with the largest segregated school system in the nation, has about 170,000 public school students, about 15 per cent are Negro.

## Houston's plan called an insult

**HOUSTON — Houston voters by a 2 to 1 majority rejected the school board's plans for integration, but the balloting actually had little meaning.**

**U. S. Judge Ben C. Connally, who issued the integration decree, had already warned the board that desegregation is a constitutional question that cannot become involved in a popularity contest.**

HOUSTON, Texas—Although a Federal judge has already told the Houston Board of Education that he will not accept an area desegregation plan, all indications point to the board submitting such a proposal anyway.

The board voted 5 - 1 last weekend to offer a plan to deschools—a high school, junior high school and an elementary segregate three of its 177 school.

Mrs. Charles White, the board's lone colored member who cast the dissenting vote, called the plan "an insult to school patrons."

* * *

**LOCAL CITIZENS** went to the polls Saturday to vote on a referendum on whether or not to desegregate the nation's largest segregated school system.

Regardless of the outcome, Houston must desegregate in the fall. The board already is under Federal court order to do so.

Federal Judge Ben Connally is expected to reject the plan to be offered by the board. Weldon Berry, NAACP attorney, also said he would ask the judge to throw out the proposal.

* * *

**ALSO IN TEXAS,** the Dallas School Board has revised a school integration plan which was recently rejected by Federal Judge T. Whitfield Davidson. Davidson rapped the first proposal because he claimed it would cause "amalgamation of the races."

The revamped plans for desegregation, beginning this fall, states in brief that integrated schools will be provided for pupils and parents wishing them. The plan, unlike the first, involves all grades.

* * *

**AND IN** Louisiana, the New Orleans Parish School Board received another jolt when the U.S. Fifth Circuit Court of Appeals turned down a request that would have blocked an integration order issued by Judge J. Skelly Wright on May 16.

* * *

**ON THE** integration front in North Carolina, Charlotte's lone colored pupil attending classes with white children has been re-assigned to Garinger High School where she will be a senior in September.

Miss Delores Watermann was the only pupil of nine accepted for transfer last year.

## Ministers OK Integration Of Houston Schools

**HOUSTON — With members of the Jewish and Catholic faiths sitting in as observers, the Association of Ministers of Greater Houston unanimously adopted a resolution favoring desegregation of Houston public schools.**

**The resolution, adopted Friday, asserted:**

**"The Association of Ministers favors adoption by the Houston school board of a plan for public school desegregations to support integration, courts.**

**"We as ministers assert our willingness to assist in fulfillment of these purposes and call upon the community to exercise good will at this time."**

**The resolution was opposed by some ministers, who said it was too weak.**

**Catholics and Jews are not members of the association, hence they did not vote.**

**An amendment to the reso-**

**ution urging ministers' congre-gations to support integration The Rev George Reck, pastor f lon Luthrn Church is pres-**

# Would Integrate Three Schools In Houston

—HOUSTON—(ANP) — The board of education, in a specially televised meeting early last week came up with a plan for desegregating three of the city's 17 schools just 24 hours before the deadline set by U.S. District Judge Ben C. Connally.

The plan, approved 5-1 by the board, provides that School Superintentend John McFarland pick a senior high school to be desegregated in September 1961. At the same time, the junior high school normally feeding students to that high school and the elementary school sending students to the junior high school also will be integrated.

**Referendum Scheduled**

McFarland is to be guided in his choice by the results of a referendum on integrating the schools. State law prohibits integration without approval of a district's voters. Districts which violate the law can lose state aid, and its officials can be jailed.

Judge Connally could not be reached for comment on the plan.

Board member Stone Wells said the plan means "no forced integration for anyone."

**Student Transfers**

Students wishing to transfer from an integrated school to a segregated school may do so. Students wishing to transfer from a segregated school to an integrated school must have permission of their principal and pass academic and physical examinations.

"For six years the board has sought to evade, delay and compromise," said Mrs. Charles White, the board's only Negro member, who cast the dissenting vote.

"This plan is an insult to school patrons because it integrates only three schools in a system of 170,000 students," she said.

Houston has the nation's largest school system. About 25 percent of the students are Negroes.

# Houston Negroes Ask School Order

## Federal Judge Petitioned To Integrate In September

HOUSTON, Texas, June 10.—(AP)—Negro attorneys Friday asked Federal Judge Ben C. Connally to order full integration of Houston schools in September.

The request was included in nine pages of objections filed in opposition to a three-school integration plan proposed by the school board.

The objections were filed by W. J. Durham of Dallas, Thurgood Marshall of New York, chief legal adviser for the National Association for the Advancement of Colored People, and Weldon H. Berry of Houston.

Friday's petition described the three-school plan proposed June 1 as a "nefarious scheme."

The plan was submitted after Judge Connally set a June 1 deadline for submission of a plan. Two years ago he ordered integration with all deliberate speed but did not set a deadline.

Under the plan, a high school, a junior high school and an elementary school would be integrated but students attending them would be required to take special academic and medical examinations.

The Houston system has 170,000 students and is the nation's largest segregated district.

# School Board Battle Quiet After Slaying

BROWNSBORO, Tex. (AP)—This village became a sleepy farm community once more Friday in the wake of stormy school board melee which cost one man his life and injured seven others.

Texas Rangers and state patrolmen kept cautious watch for any signs of further outbreak in a 20-year-old school feud dividing Brownsboro, an east Texas town of 600 people, into two partisan camps.

Mayor John Saunders reported conditions "about normal" on the heels of Thursday night's shooting and fist-fighting, which broke up a meeting of school trustees.

Thurman Jackson, 42, manager of a lumber firm, died from bullet wounds.

Some said the fight broke out just after Jackson demanded the trustees itemize part of the bills they had presented. Others attributed the battle among 30-odd persons to school board refusal to review the firing of 14 Negro teachers, as demanded by an unidentified Negro man in the audience.

# SEGREGATED AID

## Texas Faces a Dilemma in Law on School Funds

Special to The New York Times.

HOUSTON, Tex., May 7—The groundwork is being laid here for what may develop into a test of Texas laws designed to thwart school integration. The showdown, if it develops, would center on a 1957 statute which prohibits the granting of state financial aid to school districts which integrate classes without approval of the district's residents.

Under the law the Houston and Dallas independent school districts are faced with the possibility of losing state aid. Both districts are under Federal court orders to integrate their schools.

Residents of the Houston district, the nation's largest segregated public school system, will go to the polls June 4 to express their views on school integration. The Dallas district is also planning a referendum on the integration question, but has set no date.

The Houston district has been ordered by Federal District Judge Ben C. Connally to submit its integration plan to him by June 1. In view of the June 4 election, the Houston district may ask a postponement of the deadline.

But Judge Connally's orders to integrate classes "with all deliberate speed" still hang over the district.

School desegregation in Texas was progressing until the State Legislature passed the anti-integration measures.

There are over 1,600 school districts in Texas and of these 101 are integrated. The integrated systems include those of larger cities like San Antonio, Austin, Corpus Christi and El Paso.

# Integration Advice Perplexes Dallas

By Bicknell Eubanks

*Staff Correspondent of The Christian Science Monitor*

Dallas school officials, Negro attorneys, and others interested in desegregating the local schools are puzzling over a federal judge's suggestions for revising the city's plans of stair-step integration of its public schools.

The plan had been patterned after the method that has been operating successfully in Nashville for several years.

Federal District Judge T. Whitfield Davidson gave the Dallas School Board 20 days in which to rewrite its plan. He then suggested that instead of using the Nashville plan, the city might desegregate one Negro school and one white school, and let those parents who wish to do so send their children to these "pilot" schools. Then, he said, the city could let integration proceed from there.

So far as is known here, it is the first time that a federal judge has endorsed the "pepper and salt" plan. Counsel for the Negro plaintiffs quickly let it be known that they would oppose such a plan.

In addition, Judge Davidson suggested that the school board designate certain areas of the city where there is "less opposition" to desegregation and integrate only the schools in those areas. From there, the city could work progressively into other schools.

The city school board had planned to begin integration in the first grade in September, 1961, on a citywide basis and add other grades each year thereafter in succession.

When the opposing sides went into court here, it was assumed that it would be only a routine hearing and that Judge Davidson would accept the plan in general. The principal point of difference seemed to be over a proposed referendum on the issue of integrating.

State law calls for approval by voters. Without approval, the district might lose state aid if it integrated. In the case of Dallas this could amount to about $2,750,000 a year.

**Referendum Urged**

The board is urging the referendum, without suggesting how to vote. Negro attorneys have objected to the election and insist that if approval were not obtained the schools would never be integrated.

Henry Strassburger said that the law and that if the district the election is a requirement of should lose the state aid "both the white and the Negro children would suffer. The schools just cannot afford to lose that money."

The hearing took about two hours, of which Judge Davidson used 1½ hours to discuss the problems of race relations. He criticized the stair-step plan and called on the Negroes to be patient. He cited the process of integration in the District of Columbia as a bad example of what impatience can cause.

"Whites have moved out of Washington into Virginia and Maryland as a result of the school integration," he said. "At the time it was begun there were 31,000 more whites than Negroes in the District of Columbia. Now there are 17,000 less."

In his lengthy discourse, Judge Davidson emphasized the importance of government by consent rather than by force. He referred to the 1954 decision by the Supreme Court of the United States and said that the desegregation order provides that federal district courts are to be guided by equitable principles which reconcile public and private needs on the local level.

He said that "there has been too much impatience and this causes some of us to forget there are two sides to the question." He remarked that "there are civil rights and there are civil wrongs."

**Counsel Offered**

He concluded by saying:

"Stay in a good humor and do the best you can. Consider the welfare and predilections of your people and ask the help of man's creator.

"This court is adjourned."

For a moment, everyone sat still. Then Thurgood Marshall, chief counsel of the National Association for the Advancement of Colored People, grabbed his brief case.

"Let me out of here," he almost shouted. "I don't know what he said."

Several hours later, the Dallas School Board adopted a "pepper and salt" plan and announced that it would be filed with Judge Davidson. Franklin Spafford, president of the Dallas School Board, said that the only difference between the stair-step plan and the revised one is the actual way in which the schools are integrated — by individual choice or one grade at a time.

# DALLAS VOTERS REJECT MIXING

## 30,324 Against School Integration, 7,416 For

DALLAS, Tex. (AP) Dallas voters rejected school integration 4-1 in a referendum Saturday which won't affect the issue.

The vote was 30,324 against and 7,416 for. The 37,740 total was the largest ever cast in a Dallas school district election.

Officials had predicted a total of 50,000.

White precincts generally voted 10-1 against. In a light turnout, Negro precincts favored integration with margins as large as 20-1.

U. S. Dist. Judge T. Whitfield Davidson has ordered school integration in September 1961, under a voluntary "salt and pepper" plan whereby only three schools would be integrated. Students could attend mixed classes at these schools if they wish.

Negroes have appealed this order to the U.S. 5th Circuit Court of Appeals at New Orleans.

Judge Davidson urged school officials to hold the referendum as a barometer of public opinion and said he might order "immediate, whole sale integration" if the voters approved.

C. B. Bunkley, attorney for the National Assn. for the Advancement of Colored People, said there was a "general feeling that the vote didn't mean anything, that one's constitutional right cannot be determined by election."

—Judge Davidson said he thought the federal courts would hold unconstitutional a Texas law which denies state funds to schools which integrate without a favorable vote of the citizens. The law also provides for loss of state accreditation and possible fining of school officials.

The Dallas district has been advised by State Education Commissioner J. W. Edgar that it will lose about three million dollars in state aid if it integrates in violation of the law.

# Dallas Board Is Accused Of Stalling Tactics

Louisville Courier-Journal

Dallas, Texas — A United States Court of Appeals was requested to order the Dallas School Board to stop its stalling and submit a plan for the desegregation of its public schools in time for Negro children to be enrolled in integrated classes at the beginning of the September 1960 term.

The request was made in a brief filed with the Fifth Circuit Court of Appeals in New Orleans on Monday by attorneys for the NAACP Legal Defense and Educational Fund in behalf of Negro public school children of the City. It is the fourth time the Dallas School Case has been brought up to the appellate court in 4½ years.

The district court on April 16, 1958, entered a "final judgment" which restrained and enjoined the school board from requiring and permitting segregation of the races in any school under its supervision.

**Impracticle"**

The school authorities on July 27, 1959, contended that while they have done their best to comply with the state and federal laws, it is physically impracticable to desegregate immediately due to a state law which provides for the withdrawal of state funds from any school district which desegregates without voter approval in a local referendum.

However, at a hearing held July 30, 1959, attorneys for the Negro children, despite the court ruling restraining the school authorities from permitting segregation, modified their demand for immediate desegregategation and asked that the school board merely submit a plan for desegregation within a reasonable time which would provide for desegregation beginning September 1960."

The school board, instead of complying, has used every stalling method and finally offered to initiate the referendum which calls for local voters' approval.

**Voter Approval**

On August 4 the district court agreed with the school board's contentions that its actions constituted good faith in implementing all constitutional principles, that more time should elapse before a definte date for desegregation be set, and that the local referendum calling for voters' approval should be invoked.

In the brief filed in behalf of the Negro children, Legal Defense attorneys argue that the district court erred in its decision and asked the Court of Appeals to reverse the decision and to instruct the district court to order the Dallas school authorities to submit a plan for desegregation which would provide for desegregation beginning September, 1960.

Attorneys for the Negro children are Thurgood Marshall of New York, W. J. Durham and C. B. Bunkley, Jr., of Dallas, Texas. Assisting in the preparation of the brief is Elwood H. Chisolm of New York.

# Dallas Cops Start Mob Control Class

Chicago Defender

DALLAS, Tex. — (UPI) — The Dallas school board moved forward Wednesday with plans to seek a vote on integration of public schools and Police Chief Jesse E. Curry ordered mob control training to begin next week.

Curry declined to link the training for his 986-man force with the possibility of school integration in September.

The school board met Tuesday and ordered Supt. W. T. White to mail petitions to parents asking for a vote on what to do about school integration.

The school board is under federal court order to integrate schools with "all deliberate speed," and has been ordered to bring into court an integration plan by May 1.

Under Texas laws, however, the district could lose approximately $2.7 million in aid, its accreditation and school officials could be fined if they integrate without a favorable vote.

Meanwhile the warren county education foundation of Front Royal, Va., a private group operating a segregated high school for white students announced it will end the school year with enough money to raise teachers salaries.

The organization has been operating classes for 425 students since a federal court ordered 19 Negroes admitted to Warren County High school.

# 'Freedom of Choice Solves School Issue'

The Atlanta Constitution

Keswick, Va. — May I suggest that you are never going to sell Georgia on local option unless you also offer to each individual the freedom to make his own choice.

This is the crux of the Virginia solution, which simply is not understood in Georgia.

All we do here is to offer the individual freedom of choice to attend a public school or to get an equivalent scholarship. This settles the whole problem, since nobody can complain because everybody can do precisely what he wants.

Unfortunately "freedom of choice" has been interpreted as local option, pupil placement, etc. Local option is in the Virginia Constitution. Hence it never has been any issue here. Pupil placement has been practiced by all school boards since the beginning of public schools and is, therefore, nothing new.

We have scholarships that never have been tested in court nor could they be so tested as a little thought will show.

# INTEGRATION VOTE SOUGHT IN DALLAS

## School Board Is Circulating Petitions for Referendum on Racial Problem

Special to The New York Times.

DALLAS, Tex., April 9—The Dallas Board of Education was circulating petitions this week asking for a referendum on school integration in Dallas public schools.

Between 80,000 and 100,000 of the petitions were mailed to parents in the board's most recent move to solve its race problem.

The school board has been given Federal court orders to integrate the school system with "all deliberate speed." But under a state law the district would lose state aid and accreditation should it integrate prior to a favorable referendum.

Integration of Dallas schools has been debated in Federal court for several years, and the school board has sought interpretation in Federal and state courts on differences in the Federal court orders and state laws. Both Federal and state courts have ruled that they lack jurisdiction.

under a state laww the district gued to the Fifth Circuit Court of Appeals in New Orleans that school officials had done nothing to comply with the order but study plans.

The appellate court ordered the school board to present an integration plan to the Federal District Court by May 1.

In view of this order, and an opinion by District Judge T. Whitfield Davidson in Dallas on Aug. 4, 1959, that the school district should hold an election on integration, Henry W. Strasburger, attorney for the school board, recommended this week that the board distribute the petitions for a referendum.

# Dallas Sets Fresh Plan On Schools

## Integration Would Be By Individual Choice

Dallas, Tex., May 26 (AP)—The Dallas School Board came up with a new integration plan last night just hours after U. S. District Judge T. Whitfield Davidson rejected a plan he said would cause "amalgamation of the races."

School Board President Franklin E. Spafford said the plan will be filed with Davidson this week.

Basically, the plan says pupils and parents who wish integrated schools will be provided such schools starting September, 1961.

Those not wishing to attend integrated schools may attend segregated schools. The plan involves all grades.

"We had considered salt and pepper ideas before," Spafford said, "so it wasn't difficult to put the plan down on paper."

**Still Requires Vote**

R. L. Dillard, Jr., board member, said adoption of the plan depends on a favorable vote in an election demanded by Texas law before schools can integrate.

Spafford said the only difference between the plan outlined last night and the one rejected by the judge was the way in which the schools integrate — individual choice or one grade at a time.

Devidson rejected attorneys' plans for integration of Dallas schools because of what he called "the experience that integration has undergone in the District of Columbia."

The 83-year-old jurist turned down a plan which called for the integration of one grade at a time starting in 1961.

# Integration Plan Offered In Dallas

The Commercial

## Board Comes Up With New One After U.S. Judge Rejects First

By The Associated Press

DALLAS, Texas, May 26.—The Dallas School Board came up with a new integration plan Wednesday night just hours after United States Dist. Judge T. Whitfield Davidson rejected a plan he said would cause "amalgamation of the races."

School Board president Franklin E. Spafford said the plan will be filed with Davidson this week.

Basically, the plan says pupils and parents who wish integrated schools will be provided such schools starting September, 1961.

Those not wishing to attend integrated schools may attend segregated schools. The plan involves all grades.

**Considered Before**

"We had considered salt and pepper ideas before," Spafford said. "So it wasn't difficult to put the plan down an paper."

R. L. Dillard Jr., board member, said adoption of the plan depends on a favorable vote in an election demanded by Texas law before schools can integrate.

Spafford said the only difference between the plan outlined Wednesday night and the one rejected by the judge was the way in which the schools integrate—individual choice or one grade at a time.

More than 31,500 signatures have been obtained on petitions calling for a referendum on school integration. Another 10,500 are needed.

Davidson rejected attorney's plans for integration of Dallas schols because of what he called "the experience that integration has undergone in the District of Columbia."

The 83-year-old jurist turned down a plan which called for the integration of one grade at a time starting in 1961.

Davidson talked for nearly two hours and left attorneys so confused that Thurgood Marshall, chief lawyer for the National Association for the Advancement of Colored People, commented:

"I don't know what the ruling is . . . let me out of here."

**Had Been Ordered**

Davidson later told a newsman that "the effect of my remarks were that the School Board will be given 20 days to reform their plan and submit it to the court, or tell the judge they cannot come up with a better one."

School integration has been ordered by the United States Supreme Court and the Fifth United States Circuit Court of Appeals at New Orleans has ordered the School Board to integrate "with all deliberate speed."

In an interview the judge said another reason for rejecting the School Board's plan was that it would lead to "an amalgamation of the races."

## *Amalgamation of Races'*

# Texas Integration Plan Turned Down By Judge in Dallas

DALLAS, Tex. — (AP) — The Dallas School Board came up with a new integration plan just hours after U.S. District Judge T. Whitfield Davidson rejected a plan he said would cause "amalgamation of the races."

School Board President Franklin E. Spafford said the plan will be filed with Davidson this week.

**Basically, the plan says pupils and parents who wish integrated schools will be provided such schools starting September, 1961.**

Those not wishing to attend integrated schools may attend segregated schools. The plan involves all grades.

"We had considered salt and pepper ideas before," Spafford said, "so it wasn't difficult to put the plan down on paper."

R. L. Dillard Jr., board member, said adoption of the plan depends on a favorable vote in an election demanded by Texas law before schools can integrate.

**Spafford said the only difference between the plan outlined Wednesday night and the one rejected by the judge was the way in which the schools integrate — individual choice or one grade at a time.**

More than 31,500 signatures have been obtained on petitions calling for a referendum on school integration. Another 10,500 are needed.

Davidson rejected earlier plans for integration of Dallas schools because of what he called "the experience that integration has undergone in the District of Columbia."

The 83-year-old jurist turned down a plan which called for the integration of one grade at a time starting in 1961.

**Davidson talked for nearly two hours and left attorneys so confused that Thurgood Marshall, chief lawyer for the National Association for the Advancement of Colored People, commented:**

"I don't know what the ruling is . . . let me out of here."

Davidson later told a newsman that "the effect of my remarks were that the school board will be given 20 days to reform their plan and submit it to the court, or tell the judge they cannot come up with a better one."

School integration has been ordered by the U.S. Supreme Court and the Fifth U.S. Circuit Court of Appeals at New Orleans has ordered the school board to integrate "with all deliberate speed."

In an interview the judge said another reason for rejecting the school board's plan was that it would lead to "an amalgamation of the races."

# Judge Orders Integration At Houston

### 1st-Grade Action Set For September

Houston, Tex., Aug. 4 (AP)—Federal Judge Ben Connally today ordered immediate desegregation of the Houston public schools—starting with the first grade—beginning in September.

He turned down the school board's proposed desegregation plan submitted to him in June, terming it a "sham and subterfuge."

The turned-down plan would have designated an elementary, a junior high and a high school as integrated, with permission for any member of a racial minority in any school to transfer out.

The Houston School District is the largest segregated district in the nation.

Judge Connally's order was issued to decide the suit filed on behalf of two Negro girls, Delores Ross and Beneva Delois Williams in 1956.

**Transfers Possible**

The judge ordered that, "beginning with the first grade, each student may—at his option, attend any former all-white or all-Negro school within the geographical boundaries in which he may reside."

He further ordered that the plan shall be extended to the first and second grades in September 1961 and progress one grade higher each year until complete desegregation is accomplished.

However, he added that:

"Nothing in this order shall be construed to prevent transfer of a student, at his request, or pursuant to reasonable transfer rules of school authorities, provided only that race or color concerned shall not be a consideration."

Judge Connally sharply criticized the board for its plan of desegregation, saying "it does not constitute a good-faith attempt at compliance, but is a sham and subterfuge, designed only to accomplish further evasion and delay."

# Judge Decides On Integration

### Houston School Board Is Ordered To End Segregation

By United Press International

HOUSTON, Texas, Aug. 4.—Federal District Judge Ben Connally Thursday ordered the Houston school board to start integrating the city's schools in September, and criticized its area integration plan as a "palpable sham and subterfuge."

"This court finds that said plan does not constitute compliance with the aforementioned order of this court, nor does it constitute a good faith attempt at compliance.

"But it is a palpable sham and subterfuge designed only to accomplish further evasion and delay," Judge Connally, son of former United States Senator Tom Connally, said in his order.

**Largest District**

Houston is the largest segregated school district in the United States with 162,920 students attending 177 schools. There are 129 schools for whites and 48 schools for Negroes.

Judge Connally ordered the school board to place the "stair-step" plan of integration into operation next month. This means that first-grade students will be integrated this year with one successive grade integrated every year after that until all 12 grades have been integrated by 1972.

The school board's plan, which Judge Connally blasted, proposed that one elementary, one junior high and one high school be integrated in the same area—where a white or Negro child in an elementary school would graduate on to the junior and senior high school designated for integration. The plan was to go into effect in September, 1961.

School Supt. John W. McFarland and his aides would have picked out these schools for integration. This was the latest plan to be proposed since Houston schools were offered to integrate "with all deliberate speed" in 1957.

**Only Negro Member**

Mrs. Charles E. White, the only Negro member of the school board, said the "stair-step" plan would take too long.

"Some children who are entitled to this right will be denied it throughout their school lives," she said.

The district also faces trouble from a state law, which says that o district that integrates without a favorable vote of its residents faces loss of state funds, accreditation and possible fines for school officials.

# Voting Is Heavy On School Issue

### Integration To Be Decided In Public Schools At Dallas

By United Press International

DALLAS, Aug. 6.—Election officials reported a heavy turnout of voters Saturday as Dallas residents went to the polls to vote on whether or not they want public school integration.

An estimated 50,000 persons were expected to cast ballots. This would be a record for a school referendum.

White voting was heavy but Negro voting was reported light. Several Negro election judges said they believe Negro voters were confused by the integration referendum because they could not see any advantage in voting.

**Voters Confused**

Other persons were reported confused over the ballot itself, which was marked "for" and "against." A "for" vote would favor integration while an "against" vote would oppose it.

The election probably is meaningless no matter which way it goes. The Dallas district already is under Federal court order to start integrating in September, 1961.

But the referendum was called principally for two reasons—because Federal District Judge T. Whitfield Davidson suggested it as a barometer of public feeling, and because it complies with a Texas law which requires a favorable vote before a district can integrate. This law was passed by the legislature in 1957 in an attempt to stave off integration.

**Loss of Funds**

The law says that a district which integrates without getting a favorable vote can lose its state aid, its accreditation and its officials could be fined or jailed. State aid to Dallas amounts to some three million dollars a year.

School officials have pointed out the schools probably could be kept open without state aid, but they would be sorely handicapped. However, school officials refused to take sides in the emotionally-charged integration question.

The integration ordered for 1961 would be on a limited basis. Judge Davidson has ordered a voluntary "salt - and - pepper" plan of integration in which only a few schools would be integrated. Negroes are in the process of appealing this plan.

But Judge Davidson indicated he would order immediate wholesale integration if the referendum vote was favorable.

14d(1) 1960 - TEXAS

# Ask Court To Stop Dallas School Staff

Chicago Ill. Sat. 1-30-60 P.2

DALLAS, Tex. — A U. S. Court of Appeals was requested to order the Dallas School Board to stop its stalling and submit a plan for the desegregation of its public schools in time for Negro children to enroll in integrated classes at the beginning of the September 1960 term.

The request was made in a brief filed with the Fifth Circuit Court of Appeals in New Orleans by attorneys for the NAACP Legal Defense and Educational Fund in behalf of Negro public school children of the City.

It is the fourth time the Dallas School Case has been brought up to the appellate court in 4½ years.

The district court, in April 1958, entered a "final judgment" which restrained and enjoined the school board from requiring and permitting segregation of the races in any school under its supervision.

The school authorities in July 1959, contended that while they have done their best to comply with the state and federal laws, it is physically impracticable to desegregate immediately due to a state law which provides for the withdrawal of state funds from any school district which desegregates without voter approval in a local referendum.

**ATTORNEYS RELENT**

However, at a hearing held July 3a, 1959, attorneys for the Negro children, despite the court ruling restraining the school authorities from permitting segregation, modified their demand for immediate desegregation and asked that the school board merely submit "a plan for desegregation within a reasonable time which would provide for desegregation beginning September, 1960."

On Aug. 4, the district court agreed with the school board's contentions that its actions constituted good faith in implementing all constitutional principles, that more time should elapse before a definite date for desegregation be set, and that the local referendum calling for voters' approval should be invoked.

In the latest brief filed in behalf of the Negro children, Legal Defense attorneys argue the district court erred in its decision and asked the Court of Appeals to reverse the decision.

IN ROARING '50

# Houston Spent Plenty To "Minimize Desegregation"

The Observer Houston, Texas Sat. 1-2-60

HOUSTON — As school and political rip tides of the roaring 50's ebb down the path of yesterdays, Houstonians can turn to look back and count five high schools at an estimated cost of $11,250,000, that rose up in the Negro community.

Houston, like countless other Southern cities, underwent a momentous physical change during the past decade. The $50 Million complex Houston Public School industry spent staggering sums of money in order to "minimize desegregation" when it comes to town.

Negroes had not been given a new secondary school in one-quarter century until the Phillis Wheatley Senior High School was opened in 1951.

**LOSES ACCREDITATION**

Jack Yates High School lost its accreditation for e perioc of time due to the extreme overcrowdedness at the school.

The United States Supreme Court, May 17, 1954, held 9-0, that segregation in public schools was unconstitutional. On May 31, 1955, the High Court ordered states to end segregation as rapidly as possible on a local basis, leaving it up to local federal courts to decide, whether individual school boards are carrying out integration in good faith.

**SUPREME COURT HAS LAST WORD**

"The last word in what is and what isn't constitutional belongs to the Supreme Court," a hard and fast point that has stuck nearly [illegible] years, was nailed down by Chief Justice John Marshall of Virginia. The current criticisms and defiance here and there by die-hards is nothing new, but the High Tribunal is still the last word.

The next regular meeting of the Houston School Board, Jan 11, 1960, finds Houston still operating a dual system of education.

**THREE SUPERINTENDENTS**

In 1955, Dr W. E. Moreland, then superintendent, said Houston needed $39 Million for schools to be built during the next five years.

He also indicated that he had no intentions of recommending any plans to the school board for the integration of the schools. Dr Moreland who had served the district for 20 years resigned from the system the next year.

Houston has voted more than $132,000,000 in school bonds since World War II including the $62,000,000 since Moreland stated $39,000,000 was needed. G. C. Scarborough succeeded Dr Moreland as superintendent and Scarborough was succeeded by Dr John W. McFarland.

**ORDERED TO INTEGRATE**

McFarland recently stated that "the Houston Public Schools are not prepared to begin desegregation this school year." United States District Judge Ben C Connally Oct 15, 1957, ordered the Houston School Board to end segregation in the public schools.

Since the 1954-55 school decisions Kashmere, Evan E. Worthing, Jack Yates senior and Booker T. Washington High Schools were opened.

Longfellow, Allen, Hawthorne, Sutton, Brackenridge Elementary Schools and Albert Sydney Johnston Junior High School have been converted to the use of Negro children.

New elementary schools opened during the decade include Savannah Kay, Pleasantville, Nat Q. Henderson, Joseph Rhoads, Reynolds, Scott and Rosa Easter.

Permanent plants were put in at Highland Heights, Grimes, Clinton Park, and Doris Miller. Additions were constructed at Dogan, Pleasantville, Mable Wesley, Charles Atherton, Bruce, Crawford, Gregory Elementary Schools and Harper Junior High School.

Across the state of Texas, some 140 school districts integrated during the decade. There remain a mere five states in the United States where no token of integration has been made either on the elementary or secondary level. The five states where the walls of segregation remain intact are South Carolina, Georgia, Alabama, Mississippi and Louisiana.

**STORY OF THE DECADE**

The story of the decade took place at Little Rock. Newswriters the world over enjoyed a hey day, when the United States Army boss, Charles E. Wilson, secretary of state upon the presidential edict of Mr Eisenhower, ordered the entire Arkansas Army and Air National Guard into service to knock down any obstruction of justice on the campus of Central High School, that was preventing the nine Negro children from attending the previously all-white school, after the courts had ordered them admitted.

**NO PLAN ADOPTED**

The Houston School Board has never at anytime adopted a plan for desegregation, and turned a deaf ear to the courts, a citizens committee appointed by the board in 1955 to make recommendations and to another citizens committee who made recommendations in 1957. The 1955 group recommended desegregation in the fall of 1955, and the 1957 group recommended desegregation no later than 1960.

US District Judge Ben C. Connally ordered the board to bring a plan for desegregation to court May 17, 1957, which the board also failed to do.

Following Judge Connally's order, Oct 15, 1957, to end segregation in the Houston schools, 173 Houston area ministers issued a proclamation urging "every God - fearing citizen to encourage respect for our courts and obiedence to all decisions." Bishop John E Hines, the Episcopal Bishop and other prelates in the area were included among the 173 clergymen signing the proclamation.

Since the launching of Russia's first satellite in 1957, much has been done to strengthen students in the areas of science and mathematics. The initiation of Spanish and French in elementary schools points up a coming generation who will be able to speak several languages. The introduction of these languages to elementary pupils has made good progress as could be observed during the renditions of Christmas carols and the "Lord's Prayer" offered in Spanish by Grimes children during their Christmas programs.

Highpoint of the decade was the seating of the first Negro on the Houston School Board. Mrs Charles E. White was elected to the board Nov 4, 1958.

The University of Texas board of regents adopted a resolution July 8, 1955 to abolish segregation in the undergraduate course of the main school, effective Sept 1956.

On Jan 10, 1956, regents of the board of Texas Southern University voted to admit students on qualifications, regardless of race, nationality or color, effective Sept 1956.

Dr Samuel Milton Nabritt, was inaugurated as the second president of Texas Southern University, March 18, 1956.

# Challenge Made On Jurisdiction

The Commercial Appeal Memphis, Tenn. March 17, 1960

## Judge Thinks Appeals Court Lacks Right To Decide Integration Case

By The Associated Press

NEW ORLEANS, March 16.— Judge Ben Cameron said Wednesday he believed the United States Fifth Circuit Court of Appeals was without jurisdiction in the Dallas school [illegible]

gration suit. Cameron dissented in the court's 2-1 ruling ordering a Dallas desegregation plan by May 1.

The court last Friday ordered the Dallas School Board to submit the plan for desegregation of the city's public schools by May 1. The court said school officials must submit the plan "for effectuating a transition to a racially, non-discriminatory school system."

**Statute Cited**

But Judge Cameron's dissenting opinion said the Appeals Court has no jurisdiction "except that conferred by statute."

He said the statute involved provides "for appeals from interlocutory orders of district courts granting, continuing, modifying, refusing or dissolving injunctions, or refusing to dissolve or modify injunctions. This appeal does not, in my opinion, come within that statute."

The proceeding which led to the order appealed from, Cameron's opinion said, was a "motion for further relief" filed by the appellants on May 20, 1959. The only specific relief asked, he said, was for "an order directing and requiring defendants to comply forthwith with this court's judgment and orders issued April 16, 1958, by immediately operating all schools under their supervision . . . on a non-racial, non-discriminatory basis . . ."

**'Never Challenged'**

Judge Cameron said the appellants "abandoned the prayer for immediate desegregation at the very outset of the hearing on the motion of May 20 . ."

He said the Texas statutes prohibiting racial integration in public schools "have never been challenged before the court below or before us; and in the absence of such a challenge, jurisdiction has never been lodged in the court to express any opinion concerning the constitutional validity or efficacy of such statutes.

"The applicability of the Texas statutes to the case made by the pleadings can hardly be doubted and they ought, in my opinion, to be submitted, along with all the other questions involved for an orderly hearing in due course, to the court below."

# Houston Board of Edusation Told to Desegregate Schools This Fall, Says Atty. Reynolds

The Black Dispatch
Oklahoma City, Okla.
Pg. 1, 4-8-60

## Judge Connally Calls Conference to Make His Views Known to Interested Parties

## Board to Discuss Issue on April 11

HOUSTON, Texas.—(ANP)—Atty. Joe Reynolds, counsel for the Houston School Board, informed that body Monday that the city's public schools must be integrated when the fall term starts in September.

This was the conclusion reached by Reynolds i na conference with U. S. District Judge Ben C. Vonnally, and the attorneys for the plaintiffs in the school segregation suit, now pending in Judge Connally's court.

**Negro Attorney at Conference**

Reynolds said he had been called into the conference by Judge Connally. Negro Atty. Weldon Berry was also present.

"The impression I received was the court expects us to either come forth with a definite plan of desegregation, naming a specific date, or else the court would be required to order district-wide desegregation," Reynolds said.

"And that would occur in September, 1960, unless we come forth with a plan whichh would commence in September, 1960."

**Board to Discuss Issue April 11**

The board voted unanimously to discuss the latest development in the suit against it at a closed conference after the regular meeting of Monday, April 11.

# Houston Board Told To Desegregate

Atlanta Daily World
Pg. 1, 4-8-60

HOUSTON, Texas — (ANP) — Atty. Joe Reynolds, counsel for the Houston School Board, informed that body Monday that the city's public schools must be integrated when the Fall term starts in Sept.

This was the conclusion reached by Reynolds in a conference with U. S. District Judge Ben C. Connally, and the attorneys for the plaintiffs in the school segregation suit, now pending in Judge Connally's court.

**ATTORNEY AT CONFERENCE**

Reynolds said he had been called into the conference by Judge Connally. Negro Atty. Weldon Berry was also present.

"The impression I received was the court expects us to either come forth with a definite plan of desegregation, naming a specific date, or else the court would be required to order district-wide desegregation," Reynolds said.

"And that would occur in Sept., 1960, unless we come forth with a plan which would commence in September, 1960."

**BOARD TO DISCUSS ISSUE**

The board voted unanimously to discuss the latest development in the suit against it at a closed conference after the regular meeting of Monday, April 11.

Reynolds said the desegregation plan should be given Judge Connally within the next two or three months.

# DALLAS PROPOSES NEW SCHOOL PLAN

The New York Times

## Asks Parents Rule if Pupils Attend Segregated or Integrated Classes

DALLAS, Tex., May 26 (UPI) — The Dallas School Board offered for the approval of Federal courts today a plan for integration to allow either segregated or integrated classes at the option of parents and pupils.

The plan was set out in an eleven-page brief filed with Federal Judge T. Whitfield Davidson. Judge Davidson issued an order yesterday requiring the board to come up with a new plan for integrating Dallas public schools within twenty days.

The board had previously formulated a gradual integration plan to which Negro plaintiffs objected. The plan would have integrated the first grade next fall and desegregated a grade a year until integration was completed.

The new plan, officially known as Integration Plan No. 2, would authorize children whose parents oppose integration to attend segregated classes. Those who want integration would get racially mixed instruction.

The board's brief warned that "forced, sweeping integration in one or more grades under duress and force might be met with violent opposition and if violence should develop, all the disadvantages experienced in Little Rock and elsewhere might occur in Dallas."

"The plan offers the best way of giving to all what each person may think is best for himself," it said.

The proposal would give Negro children a "psychological advantage," the board said, "because they would be in a school where all students are there by choice."

It would further "reduce to a minimum dining room, playground and toilet problems," the board said.

A survey is to be made of parents and pupils to determine who wants integration and who wants segregation preserved.

But the plan, as would any other plan, would depend on a favorable vote in a proposed referendum election. Texas law requires such an election before integration can be instituted in any school district in the state.

# Dallas Vote Turns Down Integration

The Montgomery Advertiser
Montgomery, Ala.

DALLAS, Tex. (AP) — Dallas residents voted overwhelmingly against school integration in a special referendum Saturday.

The vote was 22,807 against and 5,690 for in returns from 112 of 134 boxes.

Election officials said the total vote might reach 50,000—or about twice the size of any previous vote here on a school issue.

Results of the referendum will have no effect on whether Dallas schools are integrated.

U.S. Dist. Judge T. Whitfield Davidson has ordered the school district to begin a limited plan of integration by September 1961. It calls for only three schools to be designated as integrated, and minority group pupils can transfer out of them. Negroes who took the matter to court have appealed this order.

The judge said he thought federal courts would not uphold a state law requiring a school district to gain approval in a referendum before integrating its schools.

But he urged the board to go ahead with the referendum as a kind of barometer of public opinion and indicated that if Dallas voters approved integration he might revise his original order and require complete integration.

State laws provide for loss of nearly three million dollars in state aid to the Dallas school system should the system desegregate without a favorable integration vote.

In addition, the system would lose state accreditation and its officials could be fined.

State officials have indicated that aid will be cut off immediately should the board integrate schools without a favorable integration vote. Presumably the school district would sue in court to seek to have the state aid restored.

# Houston Desegregation Ordered But City May Not Lose State Aid

The Washington Post
Wed. 9-7-60

From News Dispatches

AUSTIN, Tex., Sept.—Texas Atty. Gen. Will Wilson ruled today that schools will not lose their state funds where Federal courts force desegration. Shortly thereafter, a Federal court turned down Houston's appeal of a desegration order.

The 5th U. S. Court of apparently means the Nation's largest segrated schools system must start accepting Negroes in previously all-white schools Wednesday, the day schools open. However, a special meeting of the school board was set for later tonight, Associated Press reported.

Court orders involving Houston call for desegration of only the first grade this year. Last figures show that only seven Negro children so far have applied for enterance into all-white schools and found to meet requirements.

The state law on which ruled calls for loss of a portion of state aid, loss of accreditation and criminal penalties against school board members when a district is desegregated without approval of voters. Wilson pointed out that in his opinion, should Houston desegregate, the action would not be voluntary.

Calm the South on the traditional post-Labor Day beginning of school, United Press reported.

The Raleigh, N. C., school board assigned a Negro pupil to second grade clases at an all-white school in the first desegregation order involving the North Carolina capital city.

Schools in Tennessee continued desegregation started in previous years.

Dade (Miami) County, Florida, began its second year of token desegregation. Four of the county's 185 schools which opened today were desegregated.

Seven Negroes started classes at Central High School in Little Rock, Ark., scene of a bitter struggle three years ago, and at least 157 Negro children turned out for classes at ten Nashville, Tenn., schools. Nashville pioneered the grade-a-year desegregation plan which has been widely copied.

Dunn, N. C., was the lone trouble spot. Two Indian girls staged classroom sit-ins at Dunn's all white school to back up demands for an Indian school closer to home. The two are among a group of about 75 Indian children who must make a 70-mile round trip by school bus daily to attend the others have agreed to continuing making the trip until a school, which county officials promised last week, can be built.

# Mixing Pace Stepped Up in Houston

Montgomery Ala Advertiser

By THE ASSOCIATED PRESS

The pace of school integration at Houston, Tex., quickened Friday as the number of Negro first-graders enrolling at previously white schools rose to six.

Three more boys and two girls enrolled at three schools in what had been the nation's largest segregated school district.

They joined Tyronne Raymond Day, 6, a schoolteacher's son, who Thursday became the first Negro to attend class with white students when he enrolled at Kashmere Gardens Elementary School.

The six were the first to qualify for enrollment under a federal court order for the 170,000-student system to begin a grade-a-year integration plan with the first grade.

INDIAN SIT-IN

Dallas 9-10-60

Two Indian girls staging a sit-in demonstration at the white Dunn, N.C., High School left Friday at the request of the principal.

The girls, seeking admittance to the school rather than make a 72-mile daily round trip to the nearest Indian school, promised to resume their sit-in Monday in defiance of a court order.

School officials previously ignored the girls and an Indian boy, who participated in the sit-in three days.

CAROLINA SUIT

In South Carolina, 14 Negro parents filed a suit seeking school integration in Marion County.

The suit, the third active one in South Carolina, seeks admittance of the children of the 14 parents to white schools and asks that a division of the district by the Marion County Board of Education be invalidated.

The parents claim the district was divided in such a way that they are left with inadequate schools.

Four Negro youths were arrested Thursday night in Memphis, Tenn., during a rash of free-for-alls that broke out on city buses returning fans from a Negro high school footabll game.

Police quelled the disturbances by putting officers aboard the buses and trailing others with squad cars. They confiscated a loaded sawed-off shotgun and a dozen knives.

A 16-year-old Negro girl was hospitalized with facial cuts suffered when a brick was hurled throuhg a bus window, showering her with shattered glass.

Operators said the Negroes, most of them students, became rowdy as the buses pulled away from the stadium. When they protested, the drivers said, they were cursed.

Tennessee had two fire and explosion incidents Friday with racial overtones.

SCHOOL DESTROYED

In Nashville's Bordeaux Elementary School, where four Negroes tried to register Thursday, was destroyed by a predawn fire Friday.

Sheriff Leslie Jett said there was no evidence at present to indicate the fire was connected with the integration attempt. He said he had been told there were a number of thefts recently at the school, and the fire may have been set to cover them.

O. O. Lee, assistant state fire marshal, said it definitely was arson.

The fire, which caused damage estimated at $250,000, came less than 24 hours after Davidson County school authorities turned down a request for admission of several Negroes to the white school.

# First School Integrates In Houston

The Atlanta Constitution
p. 7

HOUSTON (UPI) — Tyronne Raymond, 6-year-old Negro, integrated the nation's largest segregated public school system today without incident or fanfare.

Fri 9-9-60

He started classes in the first grade of previously all-white Kashmere Gardens School, one of 144 elementary schools in Houston.

Atlanta

Raymond was in his seat when School Superintendent John W. McFarland issued a short official statement saying he "entered the class of Miss Marie Srygley at 9:02 a.m."

MEETS REQUIREMENTS

"He fulfills the admission requirements to the first grade," the statement concluded.

The integration Thursday of Houston's schools—ordered Aug. 14 by U.S. District Judge Ben Connally and upheld by the Fifth U.S. Circuit Court of Appeals and U.S. Supreme Court—was a surprise.

Eleven Negroes, including Raymond, registered Wednesday in the first grade, the only grade to be integrated this year, in four white schools, but none was accepted for classes.

They were told, in fact, that they would not be advised before 10 a.m. Friday whether they met new requirements for admission. There was no immediate explanation of why Raymond was let in ahead of time.

# U.S. COURT REFUSES HOUSTON MIX DELAY

## Integration of First Grade Faced Today

The Times

The United States fifth circuit court of appeals Tuesday refused to delay the integration of Houston, Tex., public schools.

**The Houston independent school district, operator of the largest segregated school system in the country, is under an order from Federal District Judge Ben C. Connally to begin desegregation with the first grade when school opens Wednesday.**

Wed 9-7-60

Three judges of the court of appeals conducted a special hearing on the school district's appeal from Judge Connally's order and an hour and a half after the hearing of arguments the court released a written opinion affirming Judge Connally's order.

Dallas

NEXT STEP UNDECIDED

In its opinion the court said, "We find ourselves in agreement with the reasoning of the court as expressed in its opinion of Oct. 15, 1957, and its subsequent orders, and we find no reversible error in the record. The judgement appealed from is therefore affirmed."

**The appeal was heard by Chief Judge Richard T. Rives and Judges Warren L. Jones and John Minor Wisdom. Attorneys involved in the case were called into Judge Wisdom's chambers to be informed of the court's decision. At that time Judge Rives told them that the court felt that the matter of a stay of the district court order was up to Judge Connally.**

Later, Joe Reynolds, one of the attorneys for the Houston school district, said that he had not decided what his next step would be. He hurriedly left the clerk of court's office to board an airplane for Houston.

IMPLEMENTATION ISSUE

Reynolds argued to the court that because of administrative problems the Houston school district should be given more time to comply with Judge Connally's order. He said that the district has never argued that the constitutional questions decided by the United States supreme court in the school segregation cases do not apply to Houston.

**He contended that the school board should be given time to put its own plan into operation. "We have a right to determine how implementation is to be made,'" he asserted.**

**Thurgood Marshall, New York, general counsel for the National Association for the Advancement of Colored People, told the court that he expects no more than "about 100 or so" Negroes to apply for transfers to white schools if the district court's plan is put into effect.**

He said that in Nashville, Tenn., many Negroes asked for transfers, got them, then returned to the all-Negro schools.

The Houston district, he argued "has had time, time and more time. They have had nothing but time."

# School in Houston Takes First Negro

The Christian Science Monitor
Boston, Mass.

By the Associated Press

**Houston**

A 6-year-old Negro boy began attending classes at the previously all-white Kashmere Gardens Elementary School Sept. 8 in the nation's previously largest segregated school system.

Only Sept. 7, school authorities said no integration of the system was expected until Sept. 12 at the earliest.

Supt. John McFarland said Tyronne Raymond Day, son of a bank custodian, entered the classroom at 9:02 a.m. as the first child to qualify under Federal Judge Ben C. Connally's grade-a-year integration order.

Young Day was escorted to the first-grade classroom by his father and the director of elementary education for the Houston school system, Dr. Charles Nelson.

He is one of 22 Negro children who have sought to enroll in the first grade of the 170,000-pupil school district.

Earlier, school authorities said they would not notify any Negro families until Sept. 9 that their first-graders had been accepted into previously all-white schools.

No disturbance occurred when young Day entered the school.

Judge Connally last month ordered the district to begin grade-a-year intergration with the first grade at the Sept. 7 opening of the fall semester.

Thirteen Negroes sought to enroll at white schools Sept. 7. Nine others filed applications during last week's preregistration.

School officials were surprised by the small number of Negroes who applied at only six of the city's 107 white schools. More than 5,000 Negro first graders reported to all-Negro schools.

"This is very gratifying," said Stone Wells, school board vice-president.

* * *

At Pine Bluff, Ark., Delores Jean York, a 6-year-old Negro girl, broke the racial barrier at nearby Dollarway school Sept. 7. There were no demonstrations against her entry.

A group of about 20 white adults watched across the street from the big school.

State police headquarters at Little Rock had standby troopers ready to move into the Dollarway area in case of trouble. Segregationist feeling has been high.

# HOUSTON SCHOOLS REJECT 3 NEGROES

New York Times

## Go to Supreme Court for Delay in Federal Judge's Order to Integrate

HOUSTON, Tex., Aug. 31 (UPI) — Three Negro children tried to register in white schools today and were turned away. Meanwhile authorities tried desperately to delay the integration of the first grade in Houston schools on Sept. 7.

Federal District Judge Ben Connally on Aug. 14 ordered Houston schools to integrate the first grade. Kindergarten and first grade pupils are registering this week for classes scheduled to begin next Wednesday.

The Houston school board's last hope of avoiding integration next week apparently lies in the United States Supreme Court, which will hear an application for a delay tomorrow. The board applied to the Supreme Court today.

Gov. Price Daniel refused the school board's appeal to intervene on the ground that the state was powerless to stop a Federal integration order.

### 'Under Protest'

Henry A. Petersen, president of the school board, said the first grade would be integrated as ordered, but "under protest," if the Supreme Court did not grant a stay.

The Negroes who tried to register were turned away because they had older brothers and sisters in another elementary school, which violates a new school board rule for registration.

Assistant Supt. Charles R. Nelson said two Negroes had tried to enroll at the Kashmere Gardens elementary school. Another tried to enroll at the John Harris elementary school.

"They applied for admission but all are ineligible to attend those schools because they have older brothers or sisters in other schools," Mr. Nelson said.

Last night the school board appealed to Governor Daniel to try to block integration with "interposition," which is interposing state powers not delegated to the Federal Government between the schools and the Federal courts.

Governor Daniel made it clear that he would not intervene.

The school board has appealed Judge Connally's integration order to the Fifth Circuit Court of Appeals in New Orleans. Its application today to the Supreme Court was a move to seek a temporary stay until it could get a ruling on that appeal.

### N. A. A. C. P. Appeals on Delay

NEW ORLEANS, Aug. 31 (UPI)—The National Association for the Advancement of Colored People said today that it was asking the United States Supreme Court for an order vacating a Federal judge's delay of integration in New Orleans.

A. P. Tureaud, lawyer for the N. A. A. C. P., asked the court to overrule the stay granted the Orleans Parish (county) school board yesterday by Judge J. Skelly Wright.

Judge Wright told the board it could wait until Nov. 14 to integrate the 11,000 first-grade students in the city's public school system.

The board immediately sent a telegram to the court "respectfully opposing" the N. A. A. C. P.'s request.

### Knoxville Integrates

Special to The New York Times.

KNOXVILLE, Tenn., Aug. 31—Knoxville schools quietly desegregated first-grade classes today.

When the first rush to register at nine formerly all-white schools had subsided, twenty-two Negro children had registered at eight schools.

Without exception, the registration went smoothly and quietly. No incidents were reported. No white children registered at any of the six Negro schools.

### Indians Turned Away

DUNN, N. C., Aug. 31 (AP)—Two persons were arrested today as Indian children tried to gain admission to the all-white Dunn High School.

Charged with trespassing were James A. Chance, 35 years old, father of two of seven children who staged a sit-in at the school, and Claude E. Groves, 17, brother of another.

The two were charged with simple trespass and released under $100 bond to await a hearing in Dunn Recorder's Court on Sept. 8.

Mr. Chance said he thought he would return to the school tomorrow with his daughter, a ninth - grade student. "We started this thing," he said. "I think we should finish it. I think the majority feel that way."

Police Chief Alton Cobb said Mr. Chance had indicated the Indian group was seeking arrests to get the case into the courts.

Soon after the arrests, the seven children left the school.

The issue behind the efforts of the Indians to enter the school is their opposition to attending an Indian school thirty-five miles away in another county. Their applications for enrollment in the white school have been rejected for two years by the Harnett County Board of Education.

North Carolina provides separate schools for whites, Negroes and Indians.

### Supreme Court to Act

WASHINGTON, Aug. 31 (AP)—The Supreme Court will consider pleas tomorrow for delays in school desegregation orders involving Delaware and the cities of New Orleans and Houston.

The court today directed lawyers in the cases to have their papers on file by 9 A. M.

The court gave no indication how soon it would act on the appeals.

# HOUSTON TO MIX UNDER PROTEST

## Fight Isn't Over, Says School Board Leader

HOUSTON, Tex. (AP)—The nation's largest segregated school system laid plans to start integrating Wednesday.

**But School Board President Henry A. Petersen declared, "the fight isn't over."**

**"We will go ahead and integrate the first grade as ordered, but under protest," said Dr. Petersen.**

He called an emergency session of the school board for 7:30 p.m. Tuesday.

The 5th U.S. Circuit Court of Appeals turned down Tuesday a school board appeal of Judge Ben Connally's 12-year plan for integration of the 170,000-student district.

**At the same time, Texas Atty. Gen. Will Wilson ruled the district will not lose $6 million in state school funds.**

State law calls for loss of a portion of state aid, loss of accreditation and criminal penalties for school board members who integrate schools without approval of voters. Houston voters rejected integration by a 3-1 margin this year.

### ONLY FEW MAY ENROLL

But Wilson held that a school district which integrates by federal court order does not do so voluntarily and thus is not subject to the penalties of the state law.

**There was indication only a few of the estimated 5000 Negro first graders will seek to enroll Wednesday at previously all-white schools.**

Dr. John McFarland, superintendent, said only nine Negroes applied during last week's preregistration for enrollment at white schools and only one applicant met all qualifications.

Joe Reynolds, School Board attorney, argued before the court that Connally should have given the school board a hearing on a three-school integration plan. This plan was submitted June 1, the deadline Connally set for the board to place a plan before the court.

### TEACHER SHORTAGE

Under the board plan, one high school, one junior high and one elementary school would have been integrated. Students desiring to attend the three integrated schools would have been required to pass special academic and physical examinations.

Reynolds also argued the district should be given more time to start integration. He said the schools are overcrowded and face a teacher shortage.

After Connally rejected the board plan and ordered the grade-a-year program, the board adopted new rules to control first grade enrollments. Under these rules, all elementary school children within a single family must attend the same school. Also, no student will be permitted to transfer into a classroom in which 35 students already have been enrolled.

ATTENDS WHITE FIRST GRADE

# Negro Schoolteacher's Son Breaks Barrier At Houston

HOUSTON, Tex., (AP) — A schoolteacher's son Thursday became the first Negro to attend school with white students in what had been the nation's largest segregated school district.

Tyronne Raymond Day, 6, entered a first-grade classroom at the Kashmere Gardens Elementary School at 9:02 a.m. and met the teacher, Miss Marie Frygley, and about 30 white classmates.

He was the first Negro child to qualify and enroll under U.S. Dist. Judge Ben C. Connally's order that the 170,000-student Houston district begin a grade-a-year integration plan with the first grade this fall.

Applications also were filed by 21 other Negroes seeking to enter white schools. Of the 21, school authorities ruled 11 ineligible. Applications of the other 10 still were under study.

**NO ADVANCE NOTICE**

Tyronne's enrollment was made without advance announcement. School authorities earlier indicated no Negroes would enter previously all-white classrooms until Monday.

There was an indication but no confirmation the youngster's enrollment was arranged secretly so as to minimize chances for disturbances.

Nothing close to a disturbance has developed since Negroes began filing the preregistration forms last week. Plainclothes policemen were in several schools Wednesday as 13 of the 22 applications were filed. Police Chief Carl Shuptrine also kept all uniformed officers on an alert basis.

Supt. John McFarland said Tyronne and the white children immediately began normal classroom routine.

"The child entered the class without incident," McFarland said in making the surprise announcement.

**EATS WITH WHITES**

Tyronne purchased his lunch in the school cafeteria and sat at a able with white students.

Tyronne is a son of Mr. and Mrs. Marcellas Day. The father is a custodian at the San Jacinto State Bank in suburban Pasadena. The mother, Helen B. Day, 27, is a seventh-grade English teacher at the all-Negro E. C. Elmore Junior-Senior High in the northeast Houston independent school district. The northeast district is not affected by Connally's order.

The mother is a graduate of Texas Southern University, a state school for Negroes in Houston.

Weldon Berry, an attorney who filed the original integration case in 1956, said the school board instructions to McFarland do not comply with Connally's order.

**MAY TAKE ACTION**

"No white children are being screened," he said. "But Negro children who seek admission to a school nearest their home are being screened if they attempt to enter a white school. That is admitting children to school according to color." He said he may take legal action.

School board President Henry A. Petersen said it has not been determined as yet what impact integration may have on white children.

"If there is an exodus from one white school to another that creates exceedingly difficult problems there is a possibility a stay —of execution of the court order —may be sought," he said.

The federal integration order permits white children to transfer from an integrated school. Petersen said an exodus from Kashmere Gardens could lead to overcrowding of other schools.

# Houston Ready To Integrate First Grade, Pledges Fight

HOUSTON, Tex. (AP) — The Houston Board of Education Tuesday night instructed Supt. John McFarland to follow a federal court order to integrate the first grade. But it told him to delay admission of Negro students until Friday.

The board voted 4-0 to allow Negroes to enroll in the first grades of previously all-white schools.

School starts Wednesday but those Negroes applying to all-white schools will not be notified until Friday if their enrollment has been approved.

Earlier, Petersen said "the fight isn't over. We will go ahead and integrate the first grade as ordered, but under protest."

Mrs. Charles White, the board's only Negro member, refused to vote. She said she favors going ahead with integration but does not favor the delay.

She offered a substitute motion asking the board "to comply in good faith with the court order." The motion died for want of a second.

The school board gave no explanation for the delay in notifying Negro students. The meeting lasted only about five minutes.

Dr. Henry Petersen, board president, said later the delay is needed to "process Negro youngsters" seeking admission to all-white schools.

"We have to process them in a way we have never processed students," he said, "and we have had a very short time to do this."

Seven Negro students have qualified under the board's transfer rule which requires among other things that they have physical examinations and must have no brothers or sisters attending other schools.

"No court or court case says we must lessen the efficiency of our schools when we integrate," Vice President Stone Wells said.

The 5th U.S. Circuit Court of Appeals turned down Tuesday a school board appeal of Judge Ben Connally's 12-year plan for integration of the 170,000-student district.

At the same time, Texas Atty. Gen. Will Wilson ruled the district will not lose $6 million in state school funds.

State law calls for loss of a portion of state aid, loss of accreditation and criminal penalties for school board members who integrate schools without approval of voters. Houston voters rejected integration by a 3-1 margin this year.

But Wilson held that a school district which integrates by federal court order does not do so voluntarily and thus is not subject to the penalties of the state law.

There was indication only a few of the estimated 5,000 Negro first graders will seek to enroll Wednesday at previously all-white schools.

Dr. John McFarland, superintendent, said only nine Negroes applied during last week's preregistration for enrollment at white schools and only one applicant met all qualifications.

At New Orleans, Thurgood Marshall, chief counsel for the National Association for the Advancement of Colored People, told the 5th Appeals Court his information indicated only about 100 Negro children could qualify to enter previously all-white schools.

Joe Reynolds, School Board attorney, argued before the court that Connally should have given the school board a hearing on a three-school integration plan. This plan was submitted June 1, the deadline Connally set for the board to place a plan before the court.

Under the board plan, one high school, one junior high and one elementary school would have been integrated. Students desiring to attend the three integrated schools would have been required to pass special academic and physical examinations.

Reynolds also argued the district should be given more time to start integration. He said the schools are overcrowded and face a teacher shortage.

Marshall said the school district "has had time and nothing but time."

After Connally rejected the board plan and ordered the grade-a-year program, the board adopted new rules to control first grade enrollments. Under these rules, all elementary school children within a single family must attend the same school. Also, no student will be permitted to transfer into a classroom in which 35 students already have been enrolled.

# Negroes Bid At 6 Schools In Houston

HOUSTON Tex. (AP)—Negroes sought to enroll at six white schools Wednesday as authorities made another unsuccessful effort to delay grade-a-year integration of the nation's largest segregated school district.

Plainclothes policemen patrolled corridors at two schools but no incidents occurred as fall classes began.

Parents of the 13 Negroes seeking to enter all-white classes were told a ruling on eligibility of the children will be made Friday. No actual classroom attendance of Negroes is expected before Monday.

Parents of nine other Negro youngsters made preregistration applications last week.

One parent protested it was unfair for his son to be unable to enroll Wednesday since white students were doing so.

But there were no disturbances and no crowds gathered at the schools. Police Chief Carl Shuptrine also kept all uniformed police on duty.

**HASTY PLANS**

Joe Reynolds, school board attorney, made hasty plans for another effort to delay the federal court integration order.

Reynolds was preparing to leave for the airport when U.S. Dist. Judge Ben C. Connally, holding court in Laredo, advised him by telephone not to come. Connally told Reynolds to wait and see what course integration takes before trying for another stay.

Connally's order that integration of the 170,000-student school district begin Wednesday with the first grade was upheld Tuesday by the 5th U.S. Circuit Court of Appeals at New Orleans. Requests for stays earlier had been denied both by Connally and the New Orleans court.

School board member Stone Wells Tuesday night obtained board approval of a motion that instructed Supt. John McFarland to accept applications from Negroes but to delay actual enrollment.

The applications, like those of last week, were referred to a special three-member committee which is checking them against eligibility rules established by the board after Connally signed his order last week.

McFarland announced earlier only one of last week's nine applicants qualified.

The rules include a requirement that all elementary grade students from a single family must attend the same school.

Efforts have been made to integrate only six of the district's 107 white schools. Officials predicted Wednesday's opening day enrollment for the first grade would approximate 19,500 and include about 4,000 Negroes.

# Houston Board Asks Governor To Aid Schools

HOUSTON, Tex., Aug. 31 (AP).—The Houston School Board voted, 4 to 2, last night to ask Gov. Price Daniel to interpose himself between the school district and the Federal Government.

The board said he is the district's last hope for keeping schools racially separate.

Gov. Daniel, reached at his ranch near Liberty, said he had not yet received the request and declined comment.

In the past he has said he believed desegregation was a local matter.

Houston's schools—under a court order to integrate first grades—started school registration yesterday.

When the day's registration closed at noon no Negroes had tried to enroll in an all-white school, School Supt. John McFarland said.

Only the first grade and kindergarten registered yesterday, McFarland said. He said about 31,000 children are expected to register for public first grades and kindergartens by Friday. Classes start September 7.

Houston—with the Nation's largest segregated school system—is racing the clock in an attempt to get a delay of the integration order.

One request for a delay has been turned down by the 5th Circuit Court of Appeals in New Orleans.

Joe Reynolds, school board attorney, has mailed another request to the United States Supreme Court.

## With Houston School Board's Segregation Majority In Bad Trouble—

# Mrs Maughmer Resigns; Governor Daniel Refuses "Interposition;" 3 Negro Children Denied Admission; And United States Supreme Court Denies A Stay

As this edition of this newspaper was put to bed, the following were the latest events in the Houston School Board segregation majority's efforts to deny equal educational opportunities to the Negroes of Houston:

First - Governor Price Daniel turned down the segregation majority's plea to him to "interpose" the State of Texas between the United States Government and the segregation majority. In the understatement of the year, Governor Daniel told the segregation majority: "Virginia tried it and lost. For more than a hundred years this theory has been talked about, but it has been firmly established that it has no weight in the American legal system. I do not believe that the school board's lawyer or any other capable lawyer would sincerely advise that there is anything the Governor can do in the Houston situation."

**Second - Mrs Bertie Maughmer resigned from the school board Wednesday because of "adjustments I have had and will have tomake in my personal life." The segregation majority was thus reduced by one.**

Third - In brazen furtherance of their determination to deny equal educational opportunities to the more than one-quarter million Negroes in the Houston Independent School District, the segregation majority turned down three Negro children who sought to register under their interpretation of Federal Judge Connally's desegregation order. Two of the children sought to register in the first grade at Kashmere Gardens Elementary School, 4901 Lockwood Drive; and one child sought to register in the first grade at John R Harris Elementary School, 811 Broadway.

A spokesman for the Houston schools said they were turned down because: "All three children have brothers or sisters in higher grades in all-Negro schools and under the School Board's rules were not eligible for admission."

Fourth - In a last-ditch effort to get a stay of Judge Connally's order, the segregation majority carried its plea for a stay (postponement) before the full bench of the Supreme Court of the United States, at 1:00 p.m. on Thursday and the Supreme Court refused to grant any stay.

# School Board Segregation Majority In Bad Trouble

## U S Supreme Court Denies Putting Off Integration

By STAFF WRITER

HOUSTON — The Houston school board is in trouble! It not only must comply with Judge Connally's order to integrate the first grade of the whole system with the opening of school September 7, but the board must find a way to free itself from the coils of state law, which the board helped to twist around $6 million that the state normally would pay the school district.

Friday the board's gamble on getting a stay from the U S Fifth Circuit Court of Appeals failed, when that court sustained Judge Connally's order by refusing to grant a stay (or a suspension). It now faces the task of integrating the first grades by September 7.

At the same time there was put in hazard the $6 million that the state normally pays on a monthly basis to Houston.

Attorney Joe Reynolds, the school's harassed attorney, will desperately seek to get a stay of Judge Connally's order from one of the vacationing justices of the Supreme Court, while he tries to get the attorney general to rule that the Texas statute, holding up the $6 million that the state normally pays to Houston, be declared unconstitutional.

### A TANGLED WEB

**It seems that the school board has hopelessly ensnared itself in a web of its making. As far back, as October, 1958, Judge Connally ruled that the district should desegregate Houston's school system "with all deliberate speed." But unfortunately for the school board, the Supreme Court, in its May 31, 1955 decision, specifically ordered that the school district should implement its decision of May 17, 1954, for desegregation "with deliberate speed."**

The board still dangled around and in May of this year Judge Connally specifically ordered the school board to submit a plan for desegregating the Houston school system by June 1. Still horsing around, the school board submitted to the judge a plan for desegregating only three of the 177 schools in the district.

At last Judge Connally's patience was exhausted and he peremptorily ordered the school board, which had refused to comply with his order for a plan, to begin desegregation of the public schools of Houston with the first grade in September.

The school board and superintendent pretended to think that the kindergarten was the first grade, despite the fact that it had been operating a first grade in Houston all these many years. Judge Connally again was patient enough to issue a clarifying order about the 12th of August, pointing out that he meant the first grade when he said the first grade. Demonstrating that it did not intend to comply with the federal ruling to desegregate the schools, the school board appealed from the judge's decision.

**The ground of their appeal was that the judge had no right or authority to issue an order for desegregating the schools, but that was a matter for the school board. Somehow the school board and its attorney forgot to read the May 31, 1955 decision. Also, they were too busy horsing around down here to have kept up with the rulings that spell out the instances in which the judge himself may order a plan put in operation.**

The rule is clear, as decided repeatedly by the federal courts, that once a judge has ordered a school board or district to submit a plan, if such school board or district fails to submit a plan, it is then not only the privilege of the judge to issue an order for desegregation, but it is his obligation under the May 31, 1955 decision to issue such an order.

The announced intent to appeal to a Supreme Court justice for a stay is like the fellow that is mixed up in the coils of a wire, the more he twists the tighter the coil becomes.

**The most intriguing tangle is the one the school board got itself into by encouraging, if not inducing, the state legislature to pass a law providing that, if any school integrate without a vote of approval from the citizens, it would lose its state funds. Somehow the segregationists, who believed that they could defy the Supreme Court's decision, got the notion that a Texas statute, although it was unconstitutional on its face, could somehow stop or interpose itself between the segregationists of the state and the Supreme Court's decision.**

The school board and other segregationists were cheated out of the pleasure of seeing the federal courts wrangle with the state over this statute. Knowing that federal decisions are superior to state decisions or statutes, the Federal courts have uniformly ignored this statute. Now Judge Connally has again ignored it and ordered the board to integrate, just as if the statute isn't on the books, because in effect it isn't on there legally or effectively.

This statute, involving the $6 million, is of no more value than were the acts of interposition, or the manifesto signed by congressional leaders. The statute is in direct conflict with the 14th Amendment to the Constitution as interpreted by the United States Supreme Court, and therefore it is no good at all.

Now, if the board should not get the funds from the state, the board will be directly responsible, and will have to account to the citizenry of Houston as to why it isn't getting the funds from the state.

### THE BACKGROUND

**The majority members of the school board, four of whose terms expire this fall, have always taken the attitude that the Supreme Court's decision was not valid. Since the first decision in the matter, which came out May 17, 1954, they have said that it was no good, contrary to states rights, and did not have to be complied with. One member has been reported to have said publicly that she would go to jail rather than comply with any order for desegregation.**

The Houston School Board, like all segregationists, keeps arguing that the 1954 Supreme Court wickedly, mischievously and irresponsibly handed down a sociological decision. The truth is that it is the Constitution that is involved in these cases.

In 1896 the then Supreme Court, in Plessy vs Ferguson, ruled that the provision of the 14th Amendment for equal treatment was complied with, if under the 14th Amendment Negroes were given "separate but equal" educational treatment.

Immediately the segregationists began to accord to Negroes separate but always unequal treatment.

# Houston Ordered to Desegregate Grade a Year

HOUSTON, Tex., Aug. 4 (AP)—Houston was ordered Thursday to integrate its schools a grade each year for 12 years, starting this fall.

Houston is the largest segregated school district in the Nation with 173 schools and 170,000 students. About 25 percent of the pupils are Negroes.

Federal Judge Ben C. Connally in issuing the order sharply criticized the school board's plan for integrating only three schools.

**APPEAL FAVORED**

The school board plans to study the Connally order Monday night. One board member said he would vote for appeal to the 5th Circuit Court in New Orleans.

Dr. John W. McFarland, superintendent, said the board does not have ready a program under which Connally's order could be carried out.

Connally's plan is the same as one rejected July 19 by the 3d Circuit Court at Philadelphia. In a two-to-one ruling on Delaware public schools the court said a grade-a-year-plan is too slow. Total desegregation was ordered for 1961.

**URGED 3 SCHOOL PLAN**

By a five-to-one majority, the Houston School Board June 1 asked Connally to accept a plan under which only three of Houston's schools would be desegregated.

Connally's order Thursday described the board plan involving only one high school, one junior high, and one elementary school as "a palpable sham and subterfuge designed only to accomplish further evasion and delay."

The board's plan accompanied pledges by individual members that no student would be required to attend an integrated school.

The board submitted its plan to Connally four days before residents of the district voted by a three-to-one margin to continue segregation. The special election was ordered under a State statute by which a school district stands to lose State financial aid if desegregation is ordered without referendum approval.

The Houston case began in 1956 with a suit filed in behalf of two Negro girls. On Oct. 15, 1957, Connally ordered desegregation with all deliberate speed but did not set a deadline. Negro attorneys early this year asked him to reopen the case and set a deadline.

# Houston Teachers' Jobs Wait On Integration Issue

HOUSTON. — (ANP) — The Houston school board voted to give temporary instead of regular contracts to 74 new Negro teachers after Supt. John W. McFarland said they might not be needed if desegregation occurs next month.

Dr. McFarland said many of the Negro students might move into formerly all-white schools and there will be no need for the additional Negro teachers.

U.S. District Judge Ben C. Connally ordered last week that the school district desegregate when the fall term opens Sept. 7. But his order stipulated that the process start only in the first grade this fall. The other grades would be desegregated one at a time each succeeding year until desegregation is accomplished in 1972.

Of the 74 Negro teachers hired on this temporary basis only 11 are assigned to the first grade.

Three are assigned to kindergarten, 11 to grade four, and five each to grades five and six. Two others are assigned as elementary special education teachers, and one as an itinerant elementary librarian.

The rest are assigned to junior and senior high schools.

Under the judge's plan desegregation would reach the junior high schools either in 1965 or '66 and the senior high schools in 1968 or 1969.

All teachers contracts, Negro and white, were approved, with Mrs. Charles E. White stating a qualified "yes". She is the only Negro member of the board.

Before the vote Mrs. White said that giving the teachers temporary contracts was done only in the case of Negroes and that it was discriminatory.

She said that it was totally unnecessary for most of the Negro teachers if the order handed down by Judge Connally was followed, as it would be nine years, in most cases, before many of the Negro teachers would be affected.

## Houston admits 9 to mixed schools

HOUSTON, Texas — Three more colored first - graders started attending school Monday at previously all-white elementary schools.

Nine first-graders have enrolled at three schools since a federal court grade - a-year integration plan became effective Sept. 7, in what was the school system.

The three new enrollees include two at Betsy Ross Elementary School, and one previously enrolled at Kashmere Gardens Elementary. There were no incidents.

# Houston's Plea To Stall Mixing Is Turned Down

NEW ORLEANS (AP)—Federal judges Friday refused to halt integration of Houston, Texas, public schools and took under advisement motions to nullify Louisiana's school segregation laws.

In separate proceedings, the Houston action was without incident, but in the Louisiana case, the state's attorney general, Jack P. F. Gremillion, stormed out of the courtroom after referring to the federal tribunal as "a den of iniquity."

Here are the three cases handled:

1. The Houston school board asked the 5th Circuit Court of Appeals here to hold up integration of Houston schools until the court could rule on the school board's appeal. U.S. District Judge Ben Connally had ordered integration there in the first grade when school starts Sept. 7. He also ordered Houston to proceed with intergration at a grade a year. Chief Judge Richard T. Rives and Judge John Minor Widsom of the Appellate Court here refused to hold Connally's ruling in abeyance until the Appellate court could rule the case itself.

2. In New Orleans, the National Assn. for the Advancement of Colored People sought to restrain Louisiana Gov. Jimmie Davis from interfering with the operation of the public schools of New Orleans. Davis has seized the schools from the school board and announced they would open Sept. 7 on a segregated basis.

GRADE-A-YEAR PLAN

U.S. District Court Judge J. Skelly Wright has ordered New Orleans schools to integrate a grade a year, beginning with the first grade. Recent state legislation permits the governor to take over any or all schools if integration is forced. The NAACP, headed by their general counsel. Thurgood Marshall of New York, asked a federal tribunal to grant an injunction against Davis and Gremillion.

This plea was taken under advisement by Wright, Rives and U.S. District Court Judge Herbert W. Christenberry. Wright and Christenberry are natives of New Orleans; Rives, of Montgomery, Ala.

3. The same judges are studying another motion in which 31 white parents of New Orleans asked that Davis be restrained from preventing the New Orleans school board from complying with federal orders for integration.

Counsel for the parents offered some affidavits in evidence, the court accepted them, Gremillion objected that he had not been given advance notice, and he charged that his constitutional rights were violated.

Gremillion said the court was running roughshod over the state's counsel, "and I am not going to stay in this den of iniquity." After his walkout, Gremillion told newsmen, "Negroes are running the country."

## Catholic School Lists 9 Negroes

HOUSTON, Tex., Sept. 1 (AP).—Nine Negro students are among the 107 scheduled to attend formerly all-white St. Mary's Catholic School today.

The Rev. Dexter S. George, pastor of St. Mary's Catholic Church, said the Negroes were enrolled in the first, second and third grades.

Father George said St. Mary's parish has more than 800 Negro Catholic families and the church has been integrated for several years.

The Most Rev. Wendelin Joseph Nold, bishop of the Galveston-Houston diocese, said Sunday that no other Catholic schools in Houston would be desegregated at this time.

Houston, with the Nation's largest segregated school system, is under court order to integrate its first grade when public school classes start next Wednesday.

# Houston Starts Integration on Quiet Note

HOUSTON, Tex. Aug 26 (AP). —Lunch counter segregation in eight major retail stores ended yesterday in a move that took Negroes and whites by surprise.

Houston newspapers, radio and television stations were advised of the plan a week ago but did not disclose it in advance. Spokesmen said they di dnot plan to carry stories about its being carried out.

Merchants and Negro officials agreed that chances for incidents would be minimized if the plan took effect without advance publicity.

There were no disturbance at the lunch counters.

The editor of the Houston Chronicle, M. E. Walter, said, "If disturbances had occurred they would have been reported in complete detail. By failing to give advance publicity there was a good possibility the change in regulations would be made with a minimum of disturbance."

One radio executive, who declined to be quoted by name, said "it is supression of news but I think, in this case, it is a good thing."

Houston, the Nation's sixth lyargest city, became the third city in Texas to integrate lunch counters. The other Texas cities are San Antonia and Galveston.

MARCH, 1960
UNITED STATES FIFTH CIRCUIT COURT OF APPEALS
ORDERED SCHOOL BOARD, DALLAS, TEXAS TO SUBMIT
PLAN FOR DESEGREGATION BY MAY 1, 1960

14d(1) 1960 TEXAS

# DALLAS GIVEN MIXING ORDER

The Dallas Morning News

## Present Plan by May 1, School Board Told

The Dallas, Tex., school board was ordered Friday by the United States fifth circuit court of appeals to present a plan for desegregation of the public schools in that city by May 1.

In doing so, the court of appeals modified an order of the federal district court for the northern district of Texas which denied a petition for integration by next September filed by the National Association for the advancement of Colored People.

When the district court refused to order September integration, it recessed proceedings in the case until April 1.

**TWO-TO-ONE RULING**

The court of appeals said Friday, "That date being almost at hand, the order of the district court is modified as to require the defendants to make a prompt and reasonable start toward full compliance with its injunction order of April 16, 1958." The injunction referred to ordered an end to segregation in the Dallas schools.

The court of appeals, in its two-to-one decision, ordered that within 30 days from the date upon which the present judgment becomes final the Dallas board present a plan of desegregation. The present ruling becomes final April 1.

Within 30 days after the submission of the plan by the board the district court must hold hearings upon the plan and upon any objections which may be filed.

**UP FOURTH TIME**

It is the fourth time that the Dallas case has been before the appeals court. School board officials contend that if they desegregate the schools they will lose financial aid from the state of Texas.

The majority opinion was by chief Judge Richard T. Rives of Alabama and Judge John Minor Wisdom of Louisiana. Judge Ben C. Cameron of Mississippi dissented but gave no written reasons.

# INTEGRATION STEP IS SET FOR DALLAS

The New York Times

## U. S. Appeals Court, 2 to 1, Orders School Board to File Plan by May 1

NEW ORLEANS, March 11 (AP)—The United States Fifth Circuit Court of Appeals, in a 2 to 1 decision today ordered the school board at Dallas, Tex., to submit a public school desegregation plan by May 1.

Today's judgment becomes final April 1, with the deadline for the desegregation plan thirty days later. However, the school board can ask for a rehearing or a stay before April 1.

The ruling was on a petition by the National Association for the Advancement of Colored People.

**Fourth Hearing on Case**

It came on the fourth time the case had reached the Appellate Court since desegregation efforts began in Dallas in 1955.

Appellate Judges Richard Rivers of Montgomery, Ala., and John Minor Wisdom of New Orleans held that the school board must act on a lower court order modified to require the board to "make a prompt and reasonable start toward full compliance" with a Federal District Court decision of April 16, 1958.

Judge Ben Cameron of Meridian, Miss., dissented from the ruling without written reason.

Under the decision the Dallas school officials must submit a plan "for effectuating a transition to a racially nondiscriminatory school system."

The district court was directed to hold a full hearing within thirty days after submission of the plan.

**Rival Arguments**

The case was taken under advisement by the appeals court Feb. 18.

C. B. Bunkley of Dallas, one of the N. A. A. C. P. attorneys, told the court that "we are not asking that the whole system be desegregated," but "some policy should be adopted for immediate desegregation by September, 1960."

School district officials argued that they were unable to take any immediate steps toward desegregation because of Texas law, which would cut off about $2,700,000 annually in state funds. Texas law also provides criminal penalties for any members of school boards that act for desegregation.

The appellate court noted that the district court's ruling of April, 1958, called for an end to Dallas school segregation from such time as may be necessary to make arrangements for integration "with all deliberate speed" as required by a United States Supreme Court decision.

# Parochial pupil tuition payments ruled illegal

The Afro-American
Baltimore Md.
Jan 30-60

SOUTH BURLINGTON, Vt.—A Vermont judge has ruled that it is unconstitutional for local public school boards to pay tuition for pupils attending parochial schools.

Superior Judge William O. Hill made his ruling on a petition brought by C. Raymond Swart against the South Burlington School Board.

He declared that tuition payments made by the school board to two Catholic high schools with tax - raised funds violated the First and Fourteenth Amendments to the United States Constitution and a provision of the Vermont Constitution.

Following a state law which provides that a community which has no high school of its own must pay tuition for students to attend schools in other towns, South Burlington has been sending its students to several schools in near - by communities. The school board has been paying tutiton for 132 pupils in two Catholic schools.

The injunction to halt the tuition payments has been stayed by Judge Hill until the 1960-61 school term or pending a possible appeal of his ruling to higher courts. The South Burlington school board isn't expected to appeal the Hill decision, because it is in the process of building its own high school, and thus the case would be moot.

However, the ruling may bring forth other court cases, because several other Vermont towns pay tuition for students at eleven high schools in the state as well as at one Episcopal school.

14d(1) 1960

VIRGINIA

# School Board Member Defends Negro Rulings

Washington Post, D. C., Fri., 7/22/60 p. B1

By Victoria Stone
Staff Reporter

Arlington School Board Chairman Barnard Joy yesterday defended for six hours in court the Board's rejection of 20 of 31 Negroes applying for admission to white schools.

During the day-long proceeding in Alexandria Federal Court, attorney Frank D. Reeves, representing the Negroes, sought to show that the Boord's action was made on the basis of the applicant's race.

The school Board on July 7 decided not to oppose the admission of nine of the applicants.

It also said it would not oppose entry of another Negro into a special "sight saving" class at Page Elementary school "when there is a vacancy." It added that an 11th applicant, who sought admission to a non-existant kindergarten at Patrick Henry, would be unopposed if he applied for the Claremont Kindergarten.

Reeves, Democratic National Committeeman from the District and an attorney for Negroes in many court desegregation battles, questioned Joy on the Board's reasons for rejecting each of the 20 pupils and conditionally accepting two others.

**Tells Reasons for Choice**

Pupil by pupil, Joy set forth his own objections but refused to speak for the Board's other four members. He said 12 were rejected for academic reasons and eight because they lived outside the "attendance area" of the school to which they applied.

And, Joy added, the State Pupil Placement Board alone has the power to assign pupils.

Reeves charged that many Negro children must attend Negro schools not within their attendance areas. "The Pupil Placement Board has not followed your areas as they apply to Negroes?" he asked Joy.

"To my knowledge, the Pupil Placement Board has followed the attendance areas except in those cases where a child would be in a racial minority," Joy answered.

Reeves asked Joy whether white children with grades on academic grounds would be denied acceptance at the schools in question. Joy said he had no knowledge of what the Pupil Placement Board would do under those circumstances.

**Best Interest of Child**

Regarding several Negroes with low grades, Joy testified that he personally thought the pupils' "best educational interests would best be served" at all-Negro schools where the pupil would be "accepted."

Judge Albert V. Bryan scheduled final arguments in the case for Sept. 6. He also accepted Reeves' request that three other Negroes who had applied to white schools independently in March, be added as plaintiffs in the suit.

Bryan told the School Board to act on the three applicants before the Sept. 6 hearing. One o fthem is seeking entry to the desegregated Stratford Junior High School and the other two are applying to Clay Elementary School.

Judge Bryan also agreed to hear argument Sept. 6 in the Alexandria school desegregation case. The Alexandria School Board on July 8 agreed to admit 10 of 15 Negro applicants to white schools. Attorneys for the Board and for the Negroes agreed to consult on the other five before the hearing.

Schools which would be affected by a court order to admit the nine unopposed Negroes are Thomas Jefferson Junior High and the desegregated Stafford, Washington-Lee and Patrick Henry schools.X

**Tests Limit Integration**

# Pupil May Live On School Doorstep, But Be Barred

Journal & Guide Norfolk, Va.
Sat., 7-30-60 p. 10

14d(1)

The Norfolk schools' administration formula for determining whether specific colored pupils shall be admitted to all - white or integrated schools is getting a thorough work - out in the case of 12 children who have applied for admission to Suburban Park school.

The 12 are among a total of 31 who have filed for transfers or initial admission to formerly all - white schools for the coming term. Of the 12, there are 10 who live on Filbert street. The other two live on Seekel street, which places them a mere two blocks from Suburban Park School. None of the 10 lives more than three blocks from the school.

**ALTHOUGH THE** administration and the School Board on Thursday eliminated interviewing all applicants for transfers and initial assignments to integrated schools or those with all pupils of a race different from the applicant's, testing procedure continues.

In the past these tests have resulted in rejecting applications of about nine - tenths of colored pupils seeking transfers or initial assignments under integrated conditions, although last year three of the board's decisions were upset by U. S. District Court here.

**THE SCHOOL** administration and the board maintain that their procedures reject race as a factor in denying applications, but the fact that a colored pupil lives nearer to a white or integrated school does not necessarily mean that he will be admitted.

He is required to meet the achievement level for his grade in the school for which he applies. If he can't meet it (even after hurdling such obstacles as ability to adjust, etc.) he will be assigned to a colored school where the grade level is lower, or he may wind up in a class for retarded mental development.

**THESE SPECIAL** classes are catch - alls for pupils who may lack capacity to learn, or for those who simply are behind for their ages and grades because of poor limited training. Some are able to return to their regular grades after only a few months in a CRMD class.

Since white as well as colored pupils must be tested when applying for schools that are integrated or facing integration, a white child also may be sent to a CRMD class if his achievement level is too low, but this seldom occurs.

**EDWIN L. LAMBERTH,** the new superintendent of schools, explains that neighborhoods with large percentages of professionals and others with more than average income and education seldom produce children with low achievement levels unless they actually have mental ailments.

Where a white and colored pupil living in the same general neighborhood of an all white school apply for first admission to the same grade and both fall slightly below the level for that grade, it is possible for the white child to be admitted and the colored sent to a school predominated by members of his race.

This action may be taken under the administration theory that whatever action is taken should be hat deemed best for the child, especially where there is evidence that a pupil will hav difficulty in adjusting to his environment.

Prince Edward County

# White Leaders Trying Quietly To Open Schools

Journal & Guide, Norfolk, Va.
Aug. 7/9/60

FARMVILLE — A group of responsible white citizens of Prince Edward County — including businessmen, farmers and professional men — have been meeting secretly in an effort to save the public schools, it was revealed in the July 7 issue of the Reporter magazine.

The group of white leaders are seeking an alternative to the "dead - end of closed schools," states the special article written by John I. Brooks, Sunday editor of the Norfolk Virginian Pilot. . . . .

**THIS GROUP** now quietly behind scenes in Prince Edward is being compared by observers to the famous group of Norfolk citizens —"100 business and professional leaders" — who led the drive to open Norfolk's closed schools in 1959. When the Norfolk group came out publically in a strong stand for reopening of the city's public schools, the "massive resisters" were quickly swept aside and all school doors were unlocked.

The segregationist Prince Edward School Foundation has operated private schools for white pupils, but 1,700 Negro pupils were left without classes. Public schools were closed to avoid compliance with a federal court desegregation order.

**THE ARTICLE** states that foundation officials have not tried to force a referendum on the sale of Farmville high school as a surplus facility because public debate on the issue would destroy "the carefully cultivated illusion of unanimity among the white people of Prince Edward county."

While the foundation probably has a comfortable majority of the white citizens behind it, criticism of the organization has been growing.

". . .**A NUMBER** of leading Prince Edward businessmen, farmers and professional men, as well as some less prominent citizens, have been meeting for some time to discuss alternatives to the dead-end of closed schools," the article says.

"They seek as much secrecy as is possible in the close-knit community, for fear that they might be labeled "integrationists" — a tag that could bring social ostracism, economic pressure, and the loss of whatever influence they might have."

# Alexandria Schools Admit Ten Negroes But Refuse Five

The Washington Post
Washington, D.C.
Sun. 7-10-60

By Victoria Stone
Staff Reporter

Alexandria's School Board assigned 10 of 15 Negro applicants to white desegregated schools in September.

The Board disclosed in Federal Court, in Alexandria yesterday that it has approved the admission of one Negro pupil to previously all-white Jefferson School. Four other schools to which the other nine applicants were assigned already are desegregated.

It was the first time the Alexandria Board agreed on its own initiative to approve Negroes for admission to desegregated or previously all-white schools. Last year the Board disapproved all applicants but they were ordered admitted by Federal Judge Albert V. Bryan.

Alexandria schools were desegregated in February, 1959, when Bryan ordered the admission of nine Negro pupils. He directed the enrollment of eight more applicants last February.

Ahe Alexaidria Board action came on the heels of a decision Friday by Arlington County school authorities not to oppose admission of nine Negroes into white or already desegregated schools this fall.

In addition to the Jefferson School assignment, Alexandria's board approved two Negro pupils for Ramsey, two to Ficklin ,three to Minnie Howard and two to Hammond High.

Of the five applicants turned down by the Board, two were rejected because they lived outside the school district and one was denied admission because there is no class for the mentally retarded at Ramsay.

The Board deferred action on one request on grounds that it needed more information from District schools and denied still another because the applicant was not considered ready for first grade.

The assignment actions were taken at a closed-door board session Thursday night.

In its statement to the Court, the Board took note of the State Pupil Placement Board's "duty and authority" however, that it didn't have time to file the recommended assignments with the State to assign students in all Virginia public schools. It added, Board.

In the past Virginia's assignment board, which was created in the unsuccessful fight to maintain all-out segregation, has been bypassed by Federal judges.

In Fairfax County, where no desegregation has taken place, 26 Negroes have filed suit in Alexandria Federal Court fo radmission to eight all-white schools.

# Judge Roby Thompson, Had Schools Desegregate

The Washington Post
Washington, D.C.
1-30-60

CHARLOTTESVILLE, Va., July 29 (UPI) — Federal District Judge Roby C. Thompson, who ordered the first desegregation of public schools in southwest Virginia, died today. He was 62.

Mr. Thompson, of Abingdon, Va., died unexpectedly in the University of Virginia Hospital here where he was recovering from an operation to remove his gall bladder.

Mr. Thompson, appointed by President Eisenhower to succeed retired District Judge A. D. Darksdale of Lynchburg, ordered schools in Floyd and Pulaski Counties to desegregate.

He also directed the public library in Danville to admit Negroes as well as whites. His order resulted in the closing of the library.

Suits to desegregate the public schools in Grayson County and Galax were pending before Mr. Thompson.

Last year he ordered 13 Negroes admitted to two white schools in Floyd County. They enrolled last January without incident.

He also ordered the white schools in Pulaski County to desegregate this fall.

Mr. Thompson, former commonwealth's (prosecuting) attorney in Washington County, Va., was named to the bench in 1957 by President Eisenhower.

He was an attorney in Abingdon prior to his appointment to succeed Darksdale.

## Theodore R. Hunnicutt

Theodore R. Hunnicutt, 50, a native of Norton, Va., and secretary-treasurer of the Pepsi-Cola Bottling Co. there, died Thursday while visiting a cousin.

He was an active Mason, Worthy Patron of the Lonesome Pine Chapter of the Eastern Star, Past Worshipful Master of Blue Lodge 259 of Norton, Past Worshipful Master of Craig Royal Arts Chapter, Past Commander of the Cyrene Commandry, also a Shriner and one of the Potentate representatives of the Kacim Temple in Roanoke.

Mr. Hunnicutt was also a charter member of the Lonesome Pine ouncil 242 of United Commercial Travellers and had held the highest post in that organization.

He is survived by his wife, Cecil; a son, Theodore R. Jr. of Winchester, Va.; his mother, Mrs. Joe W. of Norton, three brothers and four sisters.

Funeral services will be held at 3 p. m. Sunday at the Norton Methodist Church. Burial will be in Powell Valley Memorial Gardens, Norton.

# Segregationists Are Trying To Enlist Support

## No schools but tan citizens snub 'offer'

The Afro-American
Baltimore, Md.
7-2-60
p. 14

FARMVILLE, Va. — Segregationists in Prince Edward County are adopting new tactics in their efforts to persuade colored persons to give up the fight for constitutuional rights.

The Private School Foundation operates private schools to avoid a federal desegregation order.

The Foundation has now concluded that it has been ordained by the Great Arbiter to save the world and preserve white supremacy.

Members of the Foundation are going about with the fervor of an old-time revivalist calling to colored persons to turn from the "sinful path" of integration to the "righteous path" of the southern segregationists.

* * *

**BEFORE THIS,** pleas were made only through letters and, mildly, through the local press. They asked that colored persons come under the protective wing of the Private School Foundation.

Now the method has changed to frequent visits by influential white persons to homes of colored persons to establish private schools.

White persons of financial influence are asked to visit colored leaders in their individual communities asking them to attend a special meeting where the virtues of private education will be extrolled.

They hope to "brain-wash" colored leaders so that they in turn might sell the idea to the masses.

Most colored citizens reacted negatively to the overtures. However, a few have decided that they will attend out of curiosity if nothing else. For the most part, these are strong colored leaders who will certainly disappoint the hopeful segregationists.

**AT A RECENT** meeting of the Prince Edward County Christian Association, it was emphasized that colored persons are determined that there shall be no turning back.

The convictions voiced at this meeting should be a warning for all self-appointed "saviors."

By and large, Prince Edward colored citizens have concluded that they have sacrificed too much and held out too long to turn back to the pre-1954 years.

The Rev. P. H. Shepperson typified the spirit of the community when he said: "All of our children were plaintiffs in the original suit, therefore, we will see this thing through to victory."

**ADDITIONAL REMARKS** came from Dr. L. Francis Griffin, president of the Prince Edward County Christian Association. He reported that on his recent speaking tour through New Jersey, he discovered that little was known by the general public about the tragic situation in Prince Edward.

He said: "I do not think we are fully aware of the importance of this situation as it exists here. . .Unfortunately, 'sit down' movements have a greater appeal to the masses. "However," he continued, "the cause for freedom of minority groups in the United States of America will be won or lost right here in Prince Edward County.

"Every reactionary force in the South is concentrating its efforts and attention on aiding the segregationists to make a noble stand here. If they win, the cause of justice will be set back a hundred years."

He said that many white persons believe in law and order but have been under pressure by segregationists.

**PRAISING THE** spirit of Prince Edward, he told the group "You have carried your own ball well, it is time the state and the nation, too, became concerned.

"We need to stop being amateurs at this serious game of democracy and realize that this is not only a fight for colored persons in Prince Edward but for every oppressed person in the. . .world. their right to exist.

"Let it be understood that if we have to stand alone for another ten years, let us do so with the same dignity and courage we have shown all along. Our cause is right and just and we will win."

And this was the answer of colored persons in Prince Edward to the segregationist white persons seeking to enlist them in a new Confederacy.

# Schools Would Admit Negroes If So Ordered

Washington Post
D. C. Times 7/21/60
p. B-7

## Fairfax Board Says It Won't Oppose a Federal Court Ruling

14d(1) Va

By Susanna McBee
Staff Reporter

The Fairfax County School Board said yesterday it would not oppose the admission of three Negroes to the all white Belvedere and Cedar Lane Elementary schools if it is ordered to make assignments by the Alexandria Federal Court.

It rejected 27 other Negro applicants for white schools.

The Board's decision was detailed in papers filed with the Court by Attorney James H. Simmonds. The papers also contained the Board's resolution adopted Tuesday night on how it would handle desegregation.

"All power of enrollment or placement of pupils . . . is vested in the Virginia Pupil Placement Board," the local Board contended.

It added, however, that if required or empowered to act on the applications, it would not oppose desegregation on a grade-a-year basis starting with the first and second grades this year and the third grade in 1961-62.

**Plan Too Slow**

The U. S. Third Circuit Court of Appeals on Tuesday told the State of Delaware that its grade-a-year desegregation plan was too slow, and it ordered total desegregation by the fall of 1961. Federal Courts in Virginia are in the Fourth Circuit.

Otto L. Tucker, attorney for the Fairfax County Negroes, said he would consult with parents of those rejected.

"I expect they will want to appeal," he said. Tucker added that the grade-a-year plan "is not in keeping with the Supreme Court's order requiring desegregation 'with all deliberate speed.'"

The Fairfax Board said it would not oppose the admission of Gerald R. Betz, Route 4, Annandale, to the first grade of Belvedere; Raynard Wheeler, Route 4, Annandale, to the second grade of Belvedere, and Gwendolyn Brooks, Route 5, Vienna, to the second grade of Cedar Lane.

Of those rejected, 15 were turned down solely because they are not in grades one and two.

**Others Turned Down**

Eight others were turned down for several reasons, including their not being in grades one and two. Of these, three were also rejected on academic grounds, two because they applied to a nonexistent 11th grade at Flint Hill Elementary School, one because he is "almost equidistant" from a white and Negro school and the white school is overcrowded, and two because of academic and adaptability reasons. One of the latter two also was turned down because of his "conduct and behavior" record.

Two of the applicants were rejected because they did not prove they are old enough to enter school, one because the applicant lives closer to a Negro school and one because the applicant "almost equidistant" from a white and Negro school, and the white school is overcrowded according to the Board.

The Board's resolution said if it is authorized to act on applications, it would consider the applicant's residence, parents' name, school district, school and grade last attended, school and grade to which admission is sought, the reason for each application, the percentage of overcrowding at each school, the student's grades, the results of achievement and maturity tests and any other information . . . pertinent to consideration of the application."

The Board said it would then consider applications on the basis of the applicant's educational needs, availability of school facilities and programs, the effect on "orderly administration," the "competent instruction" of the pupils enrolled, "and the health, safety and best interest and general welfare of such pupils."

"Race shall not be a factor" in evaluating Negro applicants except that desegregation would be limited by the grade-a-year plan, the Board said. Its case will be heard Sept. 8, two days after schools open in Fairfax County.

In the Arlington and Alexandria school desegregation cases, decisions of Federal Judge Albert V. Bryan have limited the School Boards to academic and geography criteria in considering applications.

# Negroes Maintain School Closure is Mockery of Courts

RICHMOND, July 22 (AP) — Attorneys seeking to force Prince Edward County to reopen its public schools said today the failure of the County to do so "cannot be allowed to subvert the rights of citizens and to frustrate judicial orders.

"The judicial process cannot be so reduced to mockery," said the attorneys for the National Association for the Advancement of Colored People.

Their argument was contained in a brief filed in Federal District Court in support of a motion to restrain Prince Edward County officials from refusing to maintain and operate desegregated schools. The NAACP also seeks to add as defendants in the case, the Prince Edward Board of Supervisors and School Board, the State Board of Education and its Superintendent.

A hearing has been set for July 29.

The Prince Edward supervisors refused to make school appropriations for the 1959-60 school year and closed all public schools rather than bow to Federal Court desegregation orders.

Most of the county's 1500 white school students were educated last year in private, segregated schools. No provision was made for the approximately 1700 Negro students in the rural Southside county.

The NAACP also hopes to keep the County from leasing or selling the empty public school buildings to private individuals or corporations.

In their arguments today, the NAACP attorneys said that the courts "are armed with means whereby compliance with their orders may be compelled and frustration of their judgments may be prevented."

The attorney's contended that the history of the Prince Edward litigation since jurisdiction was returned to the Federal court "is a history of noncompliance."

They contended that "free education in Prince Edward County is a State function" under the general direction of the State Board of Education which, they said, has the constitutional duty to manage and invest school funds.

"All children of school age residing in the County of Prince Edward are being denied the benefit of the state-established, and-supported system of public free schools while that privilege is extended to all other children in the Commonwealth of school age," the brief said, adding:

"Persons acting in concert with the present defendants have, by inaction with respect to their affirmative duties under statute, sought to render nugatory the decisions of this and higher courts by the destruction of the subject matter of pending litigation . . ."

**In Escambia County**

# Integration Suit Limited by Court

TALLAHASSEE — (AP) — U.S. District Judge Harrold Carswell Thursday threw out a challenge to the Florida policy of assigning teachers to public schools on a racial basis.

Judge Carswell did not rule upon the validity of the policy of assigning Negroes to teach in Negro schools and white teachers to white schools.

He held merely that the question had no place in a suit in which Negro children are seeking admission to white schools. He said the pupils were not the proper parties to raise the issue.

**The challenge to the assignment of teachers on a racial basis was included in a suit in which 12 Negro children in Pensacola seek an order from the federal court admitting them to white schools.**

The suit was filed against the Escambia County School Board Feb. 1 after Dr. Charles A. Augustus, a Negro physician, had failed in efforts to enter his two children in the all-white O. J. Semmes Elementary School.

The other 10 children have not sought entrance to any specific white schools.

The complaint alleged that the Negro pupils were injured by the policy of assigning Negro teachers to Negro schools.

# Intolerance Charged by School Aides

CHARLOTTESVILLE, Va., March 27 (Special) — Charges of "intolerance" and "political pressure" were leveled at the Charlottesville Educational Foundation today by two of its administrators, who were fired yesterday after resigning earlier.

The Educational Foundation is an all-white private school system set up for students who quit the city's two desegregated schools. It is supported largely by State tuition grants issued under Virginia's "freedom of choice" program.

Arthur L. Ribble made public his resignation Friday, protesting financial cutbacks for next year. Saying the "only major" cutback planned had in effect fired Ribble anyway, the Foundation formally fired him Saturday.

Today Ribble charged he was "pressured by . . . the board of directors (of the Foundation) to take a position . . agreeable to their political outlook."

Arthur D. Barfield had submitted his resignation to be effective next August, without criticizing the Educational Foundation. He too was fired Saturday. Today he backed Ribble and said that when he joined the Foundation staff he had 'no idea of the intolerant attitudes and rabid beliefs which have corrupted the concept of freedom of choice."

Barfield also accused Foundation officials of altering facts in order to conceal the Foundation's poor financial condition.

A third Foundation educator, Walter L. Flora, resigned when Rible did. Foundation officials said, however, he was the victim of misinformation. He has agred to reconsider his resignation.

# 81,000 Pupils Start Back to Classes in Northern Virginia

By Susanna McBee
Staff Reporter

About 81,000 students in Fairfax and Arlington counties and Falls Church will troop to school this morning while their colleagues in other area jurisdictions enjoy a few more days of summer vacation.

Alexandria and Prince Georges and Montgomery counties will open their schools Tuesday, and District schools will start Wednesday.

The beginning of school will bring desegregated classes to Fairfax County for the first time when Negro first and second graders, enter Belvedere Elementary School and a third enters the second grade at Cedar Lane Elementary School.

The three Negroesw ere assigned to the schools by the Virginia Pupil Placement Board on Aug. 4. hTe County School oBard had agreed to admit them if ordered or authorized to do so.

hTe local Board, which has proposed a grade-a-year desegregation plan starting with the first two grades this year, has also received applications from 27 other Negroes to white schools.

About 53,700 Fairfax pupils will start school on staggered schedules beginning at 8:15 a. m., and most of them will attend class for a full day.

School will not start until Tuesday for 5300 County students, scheduled to enter four intermediate schools and Fairfax High School. Opening of those schools was postponed because of construction delays.

hTe total County enrollment of about 59,000 will be 500 more than last year.

In Arlington, 25,000 students will start school, including about 1500 children who will attend the County's first kindergarten classes. About 30 kindergarten classes will be held in 22 schools and in the Little Falls Presbyterian Church.

Classes for secondary students will be held on a staggered schedule beginning at 8:15 a. m. Kindergarten and elementary students who were in Arlington schools last year will report at 9 a. m., and new elementary children will register at 10 a. m. Most schools will operate on a half-day basis today.

School officials said yesterday they expect 34 Negroes to attend predominantly white schools in Arlington, which started desegregation under court order in February, 1959.

In Falls Church, 2100 students, about 100 more than than last year, will attend classes for a full day on staggered shifts starting at 8:20 a. m.

**Virginia Pupils Assigned**

RICHMOND, Va., Aug. 4 (AP) — The State Pupil Placement Board approved today the applications of three Negroes to enter two white schools in Fairfax County in September. Fairfax thus far had no racial integration in its public schools.

The board also assigned one Negro pupil to the already desegregated Warren County High School at Front Royal.

14d(1) 1960 VIRGINIA

# No School For 1,700 Students

By VICTOR CALVERTON

FARMVILLE, Va. — (ANP) — A white daily newspaper thinks some white people, in Prince Edward county are worried because 1,700 Negro children were locked out of schools this year.

The editor thinks apparently the reason an effort is being made to open a private, segregated schools for Negro children is because "Conscience is at work in Prince Edward." This is the title of an editorial in the Sunday Virginian-Pilot.

The editor says "the white people of the county took care of their 1,500 children, after a fashion, by setting up private schools financed by contributions. But they left 1,700 black children without any schools or schooling except for a handful who are going to school in North Carlina—and that was by the Negroes' efforts, not by the efforts of the white people who control the county. He says further:

"Fantastic as it may seem and as in the long future it uncertainly will be regarded the county government decided that the education of these 1,700 Negroes was not its responsibilities.

**Troubled White Residents**

"Nevertheless, it has been clear from the start that this situation troubled some white residents of Prince Edward. They have expressed regret that the Negroes were not trying to establish private schools for Negroes. They have offered publicly to help Negroes in such private school establishment. They have pointed out that the Negroes were doing nothing, and they have asked why.

"It was not difficult to see in this attitude the troubled thinking of white men and women who knew there was something wrong in denying in the year 1959 all public school education to more than half the boys and girls of the county.

"Now there is a positive step in Prince Edward. A group of white men and women represented by 10 of their number has obtained from the State Corporation commission a certificate of incorporation for Southside Schools, Inc. The corporation, it is contemplated, will operate on a non-profit basis a school or a series of schools for Negro children, it be financed by the state's tuition payments of $250 a pupil.

**To Start A School**

"To carry out this program, the incorporators will write a letter about January 1 to all Negro families asking them if they are interested in such a private school system. If a sufficient number manifests an intention to send their children to this white-established and white-directed private school for Negroes, the corporation will begin operations February 1 or thereabouts. The corporation hopes thus to provide the equivalent of a half-year of education for Negroes. It hopes that Negro citizens of Prince Edward will join in the program.

"As to the latter, the state, along with Prince Edward, will have to wait to see. The state president of the NAACP, Robert D. Robertson, has predicted that "not more than a handful" of Negro children will attend such a private school for Negroes. He may be wrong.

"But though the incorporation of Southside Schools represents undoubtedly an increasing sense of responsibility on the part of some white people in Prince Edward, it is not so certain that the program represents a clear understanding of the situation."

# Open Schools, Negroes Plead In Virginia

RICHMOND, Va., Jan. 2 (UPI). Gov. J. Lindsay Almond was urged Saturday in a resolution to use his emergency powers to reopen the public schools in integration-torn Prince Edward County.

The resolution, delivered by a Negro protest march, demanded "immediate relief" for some 1,700 Negro students who have no classes and 1,500 whites who are attending makeshift private schools in churches and other buildings.

Twenty-one public schools were closed in the rural county last summer to get around a federal court desegregation order.

About 2,700 Negroes gathered at an auditorium here Friday, heard a plea for them to avoid violence but to continue pressing for integration, and then trooped nearly two miles to the state capitol in bitter cold weather to deliver three resolutions to the governor.

However, Almond was out of town — spending a quiet weekend in Roanoke, Va.

* * *

**THE RESOLUTION**, addressed to Almond and the General Assembly, described the makeshift classes attended by white students in Prince Edward as "obviously inferior."

The assembly was asked to reopen the public schools. If this was not done, Almond could use his emergency powers to do so.

# 'Let Us Alone,' Alabaman Asks

## Patterson Says U.S. Should Stay Out Of 'Domestic' School Picture

By The Associated Press

ATLANTA, Jan. 7.—Alabama Gov. John Patterson Thursday demanded the Federal Government leave other Southern states alone with their public school segregation problems.

"We are doing our job over here," he said. "We want to be left alone to handle our own domestic problems."

The Governor declared in an interview that if the states expect to maintain segregation, "we will have to be ready to sacrifice our public schools and turn to some form of private education."

His interview was with Aubrey Morris, news director of radio station WSB, who is doing a series of reports on the school crisis.

Governor Patterson warned if the Federal Government does attempt to force any integration of schools in his and some other states, "we are going to have violence and the school where it is attempted will be destroyed."

He held that in Alabama especially Negroes have no cause to seek entry into white schools.

"The average Negro teacher's salary in Alabama," he said, "is at present higher than the white teacher's and the new 100 million dollar school construction program goes equally to Negro and white schools."

# Patterson Sees Private Education

ATLANTA—(AP)— Gov. John Patterson of Alabama said that if southern states expect to maintain segregation "we will have to be ready to sacrifice our public schools and turn to some form of private education."

Patterson, in an interview broadcast by an Atlanta radio station Thursday night, demanded that the federal government leave southern states alone with their public school segregation problems.

"We are doing our job over here. We want to be left alone to handle our domestic problems," the governor said in his interview with Aubrey Morris, news director of radio station WSB.

Patterson warned that forced integration of schools in Alabama and some other states would result in violence. He said the school where integration is attempted will be destroyed.

He said that Negroes in Alabama have no cause to seek entry into white schools.

"The average Negro teacher's salary in Alabama is at present higher than the white teacher's and the new 100-million-dollar school construction program goes equally to Negro and white schools," he said.

# SALES TAX TO FORE AS VIRGINIA ISSUE

## 3% Proposal Supplants Pupil Integration as Key Topic for Legislature

Special to The New York Times.

RICHMOND, Va., Jan. 9—A battle over a proposed 3 per cent state sales tax is shaping up for the Virginia Legislature, which opens its biennial session Wednesday.

It will be the first time in six years that any issue other than school integration has been the Legislature's primary concern.

The keynote for the session was sounded by Gov. J. Lindsay Almond Jr., Dec. 9 in a letter to the 140 members of the General Assembly in which he said he would ask a 3 per cent general sales tax.

"If the essential and compelling needs of the state are to be met," he wrote, "additional revenue will be required and there appears to be no practical way of raising it except by the enactment of a sales tax."

**Some Cuts Proposed**

He coupled that plea with proposals of reduced state taxes on personal income, on merchants, on some business capital and on the income of corporations.

There has been enough comment from legislators and others to indicate a fight on parts of the program but wide support for finding of additional revenues.

One developing movement has raised the question: Is the sales tax necessary?

State Senator Harry F. Byrd Jr. has indicated that he still had to be convinced. A member of the Senate Finance Committee, he issued a statement estimating that the state would end the current fiscal year June 30 with a surplus of $30,000,000 instead of the $20,000,000 visualized by the Governor.

Some have suggested that the sales tax should be saved for a depression crisis. Others have proposed a 2 per cent rather than a 3 per cent rate, arguing that the higher rate would produce an unappropriated yield of $10,000,000 in the 1960-62 biennium.

**Retort by Governor**

The Governor has insisted, however, that a 2 per cent tax would take care of state needs only and would not permit release of some funds to the localities.

Officials of many counties have for several years urged a sales tax and are pressing for it now. There are indications, however, that most of them favor for the localities a 50 per cent share of the prospective two-year $142,600,000 yield of the sales tax instead of the 30 per cent the Governor is expected to propose.

# No need to mix state schools, governor says

ATLANTA, Jan. 8—(AP)—Alabama Gov. John Patterson said that if Southern states expect to maintain segregation, "we will have to be ready to sacrifice our public schools and turn to some form of private education."

Patterson, in an interview broadcast by an Atlanta radio station last night, demanded that the federal government leave Southern states alone with their public school segregation problems.

**"We are doing our job over here. We want to be left alone to handle our domestic problems," the governor said in his interview with Aubrey Morris, news director of Radio Station WSB.**

Patterson warned that forced integration of schools in Alabama and some other states would result in violence. He said the school where integration is attempted will be destroyed.

He said that Negroes in Alabama have no cause to seek entry into white schools.

"The average Negro teacher's salary in Alabama is at present higher than the white teacher's and the new $100 million school construction program goes equally to Negro and white schools," he said.

A New Racial Era?

# Virginia Editor Says State Leads Toward Limited Integration

Washington, Jan. 17 (AP)—A noted Virginia editor said Monday that his state is leading the South toward acceptance of a limited form of racial integration in public schools.

This editor, Virginius Dabney of The Richmond Times-Dispatch, reported:

"There are indications that it may be legally possible for Southern states to satisfy the federal courts, keep open their public schools, and yet to hold mixing of the races in the schools to an absolute minimum."

Dabney gave his report in a copyright article in the magazine U. S. News & World Report. A native Virginian, he has been editor of The Times-Dispatch since 1936. He won a Pulitzer Prize for editorial writing in 1947.

The article recalled how a year ago Virginia abandoned its policy of massive resistance to the United States Supreme Court order of 1954 against segregated schools. Abandonment followed State- and federal-court rulings against State laws that had sought to get around the federal decision.

Since then Virginia has peacefully admitted 85 Negroes to 16 formerly all-white schools with a total white enrollment of more than 20,000. A pupil-assignment plan permits the screening of students who wish to transfer from one school to another.

*Dabney, noting that steps similar to Virginis's have been taken in Florida, Arkansas, Georgia, Tennessee, and North Carolina, said:*

"All this does not mean that the South—or Virginia—is new preparing to replace 'massive resistance' with 'massive integration.'

"What it does indicate is that much of the South may be entering a new racial era which might be described as an era of limited integration."

WILKINS SPEAKS

# 1,000 at Farmville

By MARGARET STEWART

FARMVILLE, Va. — Speaking before more than 1,000 children in Farmville, Roy Wilkins, executive secretary of the NAACP, told the school - less children "We must show love and have faith. This thing must and will pass."

Mr. Wilkins was the surprise guest at the Christmas party for the Farmville school children held by the Prince Edward County Christian Association to lift their morale. The public schools have been closed this year by the county supervisors rather than desegregate them.

The youngsters were also given encouragement by Oliver W. Hill of Richmond, who is chief legal counsel for the Virginia NAACP.

* * *

A NATION - WIDE appeal brought donations of candy, gifts and nuts to help fill the Christmas stockings of the Farmville children. The Rev. L. Francis Griffin, pastor of the First Baptist Church, in Farmville, made personal appeals all over the state. Practically every newspaper carried the appeal and the results were tremendous.

In Washington, newspaper reporters formed a committee and took charge of getting together a show to entertain the youngsters. Maxine Sullivan, famous singer of radio, screen, TV and stage, gave up her Christmas plans to entertain the children. Her transportation was paid for by a group of Richmond businessmen.

Miss Sullivan, who is now working for Child Craft encyclopaedia, is making arrangements to present to the children of Farmville a set of Child Craft books to be used during this interim period. The parents as well as the children were delighted with Miss Sullivan, who led them in several Christmas carols.

* * *

THE SHOW included the 18-year-old singer, Linda Griner, of Washington. Linda has a style of her own that will certainly take her to stardom. The Congressionals, a group of youngsters who started off singing in a basement and has now risen to popularity, entertained.

Sher Allen of the District Theatres sponsored the Harlequins, who thrilled the children with their renditions. "Miss Texas of 1959," Esterlone Jackson, did interpretive dancing and was so good she had several encores.

# SCHOOL BOARD HIT OVER INTEGRATION

Intergroup Agency, Charging Lag, Calls for Immediate Steps to End Racialism

By LEONARD BUDER

The Board of Education is not doing enough to promote integration in the public school system, the Commission on Intergroup Relations charged yesterday.

The commission, a city body set up in 1955, called for immediate action to reduce "racial and ethnic concentration in the city's schools and classrooms."

It proposed, in a policy statement, that the system permit the assignment and transfer of pupils to schools outside their normal zones, when requested by parents, "not only to relieve overcrowding but also to advance integration."

It also recommended the designation of an official to "devote full time to the direction, expedition and coordination of the school-integration program" and to "maintain liaison with public and private organizations committed to this program."

The commission said this official should be "at the level of an associate superintendent"—the second highest professional rank in the school system—and should have an "adequate staff."

The commission observed that it was now five years since the board had issued a policy statement declaring that "racially homogeneous schools are educationally undesirable" and committing itself to the prevention of such schools and the integration of those already existing "as quickly as possible."

"But as of today," the city group asserted, "the fact is that too little has been achieved toward the accomplishment of these goals, even though we believe that the Superintendent of Schools, John J. Theobald, is committed to the objectives of the integration program.

While recognizing that some progress has been made to eliminate segregation in the New York City public schools, we must take exception to the slow pace at which the city's official public policy is being carried out. We find great and urgent need for the board to speed its integration efforts, and to keep the public informed of its actions."

Present school zoning policies and practices should be re-examined, the commission proposed, "to make possible redistricting schools on a borough-wide and city-wide basis, so that zoning will become a more effective tool for achieving integration."

Dr. Theobald recently disclosed that the system was studying the opening of academic high schools to all students, regardless of zone lines. But he stressed that integration was not a factor in this matter.

### Transfers Discussed

Similarly, the Superintendent has said that recent transfers of Negro pupils to white schools in other neighborhoods were designed to bring about better school utilization, and had nothin gto do with integration.

The commission also proposed that:

¶Qualified teachers be assigned on an equitable basis throughout the system.

¶In-service training be provided to all teachers and other school personnel in the policy and obectives of the school integration program.

¶The board assume primary responsibility for building community understanding and acceptance of the school integration program.

# Prince Edward Classes Set

## NAACP Unveils Plans for Negroes

A new plan to provide for the education of Negro children in Prince Edward County was announced yesterday by the Virginia branch of the National Association for the Advancement of Colored People.

W. Lester Banks, executive secretary of the NAACP unit, steering clear of the term "private schools," said 10 "remedial education centers" would be set up on February 1. These, he said, would provide classes for the 1,700 Negro children who have been without schools since September.

County schools for both whites and Negroes failed to open when the City Board of Supervisors refused to appropriate funds for 1959-60. The action came after a Federal court had directed the county to start school desegregation.

### Private School Rejected

White students have been attending private classes. Negro students have refused to sign up for a segregated private school proposed for them by a group of white citizens.

The proposal for remedial centers was unveiled at a Washington conference on the Prince Edward County school situation called by the National Council of Negro Women. Representatives of both Negro and white women's organizations attended.

Mr. Banks said $16,500 would be needed to finance the new program over the next five months.

### Segregation Opposed

Roughly half the money would go for operation of the centers. The rest would be used by Negro students now attending classes outside the county.

Negro leaders asserted yesterday that creation of the new centers was not an attempt to set up Negro private schools.

"We are not interested in segregated schools, be they public or private," said the Rev. L. Francis Griffin, pastor of a county church, who will "coordinate "the project.

Participants at yesterday's conference voted unanimous support for the NAACP program and promised to urge their groups to back the proposal.

Francis A. Gregory, assistant superintendent for adult education of the Washington school system, said Prince Edward County Negro churches would make good locations for the centers.

# Negroes Enter Schools Near Richmond, Va.

RICHMOND, Va. (AP) — Public schools in three more Virginia localities were integrated quietly and practically without notice Tuesday, 20 months after the first Negro entered a white school in the state.

Twenty-one Negroes took their places alongside white pupils for the first time in Richmond, Roanoke and Pulaski. And as a majority of the state's public schools opened their doors for the new term, 72 Negroes returned to previously integrated schools in Norfolk, Charlottesville and Alexandria.

Seventy-one other Negroes started the new term in previously all-white schools last Thursday in Arlington, Floyd, Warren and Fairfax counties. For Fairfax, it was the first sample of integration.

No disturbances were reported at any of the schools.

A Roman Catholic parochial school in Danville became the first school in the heavily Negro South Side to drop the racial bars.

Sister Maria Rosita, principal of the Sacred Heart School, confirmed that three Negroes had been enrolled but declined to disclose their names or the grades they entered.